The Nation

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EDITORIAL: THE *McRAE* CASE

THEOLOGY AND THE CONSTITUTION

"Do Catholics Have Constitutional Rights?" asked the headline of an editorial in *Commonweal* on December 8. A week later, *The Wall Street Journal* editorialized on the same topic, asking in its headline, "A New Anti-Catholic Bigotry?" No doubt similar editorials will soon appear in many other journals.

The cause for this alarm is a 301-page legal brief recently submitted to a federal district court in Brooklyn in the case of *McRae* v. *Califano*. The *McRae* case was originally filed in 1976 and an earlier judicial ruling stopped the government for nearly a year from implementing a law adopted by Congress that denied poor women seeking abortions the reimbursement they get from Medicaid for any other kind of medical treatment. Then, in June 1977, the United States Supreme Court reversed that ruling. The *McRae* case went back to Judge John Dooling, the author of the ruling that had been reversed, to consider issues in the case that had not yet been decided.

One of those issues is whether the denial of funds for abortions is unconstitutional because it enacts into civil law religious dogmas about the moment when life begins. There were several months of hearings during which the contending parties in *McRae*, including many theologians, presented evidence and examined witnesses. The distillation of the argument that laws restricting access to abortions violate the First Amendment prohibition of laws "respecting an establishment of religion" is contained in the brief that inspired the cries of *foul*. It was submitted to the court by nine attorneys, all of them women associated with the American Civil Liber-

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WRITING ON THE CHINESE WALLS
Michael Chinoy

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FBI LETTERS

WRITERS OF THE PURPLE PAGE

WILLIAM M. KUNSTLER

Because the American public has been saturated in recent years with so many accounts of gruesome, absurd and sensational abuses by our intelligence community, the FBI's practice of writing an occasional anonymous letter has seemed a relatively harmless peccadillo.

Now, however, with the benefit of Sen. Frank Church's Select Committee on Intelligence Activities report, which has documented some 2,370 separate COINTELPRO actions by the FBI against U.S. protest organizations, and hundreds of individual Freedom of Information Act findings, as well as disclosures emerging from cases brought against the Bureau by groups such as the Socialist Workers Party, it is possible for the first time to put in one place the staggering dimensions of what turns out to have been not merely a "rough, tough, dirty business" but an everyday tool of law enforcement.

Only a case-by-case narrative can convey the despicable quality of the FBI's anonymous mailing campaign. It is presented here not alone as a history of past abuses nor even as a revelation of the value assumptions which pervade our society but as one of those "harmless" COINTELPRO activities which Senator Church observed in his report of April 23, 1976 "may continue today under the rubric of 'investigation.'"

On March 8, 1971, the FBI resident agency in Media, Pa., was broken into and a great many files carried away by the intruders. Some of the stolen documents, which were soon widely disseminated to the news media, carried the then-mysterious

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LETTERS.

THE TEXAS PRISONS

Houston, Texas

It was with the profoundest sense of dismay and outrage that we read Bruce Jackson's "Texas Prisons Go on Trial" [*The Nation*, Oct. 28]. We felt that the article was an openly biased apology for the Texas Department of Corrections (TDC), now on trial in *Ruiz* v. *Estelle*, a federal class action suit. (This fact is particularly regrettable because Jackson has the misplaced reputation of being sympathetic to prisoners.)

However, what compelled us to write this letter was the fact that we have subsequently learned that Jackson is scheduled to be a witness for the Texas prison officials in the *Ruiz* case, which fact we feel *must* be explained to your readers if an honest appraisal of his article is to be made.

Jackson not only glosses over most of the issues in the law suit, quoting almost exclusively from the very TDC officials who are now on trial, but he also fails completely to acknowledge the mass of gruesome and sometimes bloodcurdling evidence that has come out in the *Ruiz* case since October 2 about the brutality and racism that exist inside the TDC walls. . . .

Arnold Pontesso, a Justice Department expert on prisons, called the TDC "probably the best example of slavery remaining in the nation today." (Texas prisoners are paid nothing for their backbreaking labor; most states pay at least some meager wages for prison labor.). . .

Unlike Jackson, we are not ashamed to say that we are partisans in this struggle. We, the Prisoners Solidarity Committee, feel that the *Ruiz* case and the prisoners' strike are historic and justified protests against inhuman and degrading conditions that cannot be tolerated. It is for this reason that we have filed a complaint with the United Nations Subcommittee on Human Rights in Geneva to bring to the attention of the world the crimes that are daily being committed against Texas prisoners.

For the Houston Prisoners Solidarity Committee:
Salvador Gonzales, Alex Rodriguez
Lola Castillo, Gloria Rodriguez

Buffalo, N.Y.

Mr. Gonzales and the Prisoners Solidarity Committee would have preferred that I describe *Ruiz* as a case in which all the issues are resolved, and in which the only problem is how the bad guys are going to get nailed. That is an understandable stance from the point of view of a passionately involved partisan organization, but I think it is facile politics and lousy journalism.

Bruce Jackson

When he submitted his article, Mr. Jackson told us that he had been asked to testify in the case of *Ruiz* v. *Estelle*. We did not then, and do not now, see that this in any way affects his competence to discuss a subject with which he has long been familiar.—*The Editors*

HOW DEEP IS "IN-DEPTH"?

Pittsburgh, Pa.

We have read Elaine Douglass's editorial ["Atom Bombs Also Pollute," *The Nation*, Oct. 14] with interest. We do feel, however, that we should provide another perspective on the risks associated with the nuclear weapons establishment.

The National Academy of Sciences National Research Council Panel on Hanford Wastes. . . concluded that "There has not been in the past, and is not at present, any significant radiation hazard to public health and safety from waste management operations at Hanford." This conclusion was based on an in-depth review of activities and facilities, including those associated with the trench referred to by Ms. Douglass.

It is recognized that significant costs will be incurred in disposing of these wastes and that the task will be difficult. It will not, however, be insuperable. Even the Interagency Review Group has concluded that they can be stored safely and eventually disposed of without endangering the public health and safety. This group, appointed by the President, includes people representing all shades of opinion on nuclear power.

As we understand it, the people in Denver *were* aware of the nature of the operations at Rocky Flats. This was not a secret. There was a fire in 1969, but plutonium contamination was not spread beyond the roof of the affected building and a portion of an adjacent building.

Whether we should have one—or any other kind of weapons program—is a social and political problem that will be with us for a long time. We are not trying to justify past practices. They have been improved significantly and this was desirable. Their consequences were not, however, as dire as Ms. Douglass made them out to be. We are therefore convinced, for technical reasons, that this nation's nuclear weapons program does not jeopardize the health and safety of the public.

Lester Berkowitz, P.E.,
Chairman, Committee for
Scientific Truth in the Public Interest

Cambridge, Mass.

The National Academy of Sciences (NAS) conclusion that Hanford *waste* operations (excluding other Hanford operations, e.g., reactors and reprocessing) are "safe" is based on representations made by Hanford officials to NAS that wastes in Hanford soils have not migrated to the water table, and radiation emissions do not exceed Department of Energy limits. *The Nation* editorial repeated the assertion that the wastes have not migrated.

As for radiation, any amount of it causes some cancer. Mr. Berkowitz must be aware of the controversy now raging among scientists as to whether existing radiation protection criteria are adequate. (See *Technology Review* for November.)

But much more important is the issue taken up by *The Nation* of what hazards and costs may be presented by the removal and disposal of the millions of gallons of chemically intractable defense wastes in the Hanford tanks.

The Interagency Review Group (IRG) referred to by Mr. Berkowitz is, like NAS, a responsible government body. It is composed of U.S. agency heads, does not "represent all shades of opinion on nuclear power." Since nuclear waste *must* be disposed of, it is virtually obligatory for IRG to conclude that the task can be accomplished.

IRG, however, in its huge October report, had no plan for disposal of the Hanford or the Savannah River defense wastes. The government has not figured out how to do that, and will not acknowledge the multibillion-dollar costs. All IRG was prepared to discuss is the beginning of placement of the chemically tractable Idaho Falls wastes (3% of total defense wastes) underground by 1988.

Mr. Berkowitz is simply wrong when he says Rocky Flats, Colo. weapons operations were not a secret. When the plant was built in 1953, the people of Denver did not know its purpose.

As for the hazards of the 1969 plutonium fire at Rocky Flats, which Mr. Berkowitz attempts to mitigate, I quote the testimony of Maj. Gen. Edward Giller, director of AEC Division of Military Applications, before the U.S. House Appropriations Committee, October 1, 1970.

The fire, Giller declared, was a "near catastrophe." If it had burned through the roof "then hundreds of square miles could be involved in radiation exposure and involve clean-up at an astronomical cost. . . . If the fire had been a little bigger, it is questionable whether it could have been contained."

Elaine Douglass

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EDITORIALS.

Breakdown and Breakthrough

The United States launched, or completed, a major foreign policy initiative just as the previous one collapsed. Or is "Camp David," with its promise of a long step toward peace in the Middle East, really dead? And what does the "normalization" with Peking really mean?

On the Mideast "front," as Nixon and Kissinger used to say, there is no doubt that the prospects that looked so bright on September 17 from the top of the Catoctins were substantially dimmed when, by December 17, no agreement had been signed between Israel and Egypt. The President is angry, or just miffed, depending on one's reading of his words on the failure to meet the deadline he imposed on the two parties at Camp David. And he is directing his criticism entirely at Israel.

Is that fair, or even useful? In our view, it is not. To sum up a vastly complicated set of arrangements, the deal collapsed because Israel did not dare to make its accommodation with the leading Arab military power dependent upon the future behavior of the naturally volatile Palestinians and their even edgier Arab friends. The ambiguous "linkage" between the straight Egypt-Israel pact and the future of the Palestinians—though no doubt a crucial element of any comprehensive settlement—looked ominous from Jerusalem, and that was a reasonable view.

And so the process must start again. The United States has great leverage, still, with both sides; but that will disappear if the President's disappointment at the missed deadline causes him to lose his mediating credentials with either party. He was perilously close to that loss, with his irritated words about Israeli stubbornness, on the eve of the announcement of the recognition of China.

The Chinese "breakthrough" was thus a welcome diversion from the new stalemate in the Middle East. Of course we have never had relations with China that could be called "normal," even going back to the Open Door and missionary periods, and certainly not over the span of a whole generation during which we chose to regard Peking as Moscow's tool. Now, "nor-

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mal diplomatic relations" will not instantly normalize our links with that puzzling power. That will take years of careful and mutually respectful dealings on both sides. But at least the process has begun. It is an overdue step in the right and sensible direction.

The Writing On the Chinese Walls

The "wall of democracy" still stands in central Peking and the posters that cover it continue to express criticism of China's past and present leaders and policies. This single fact illustrates why the events of the past month—including the long overdue normalization of diplomatic relations between Peking and Washington—amount to more than just another twist in an ongoing power struggle in the Chinese hierarchy. Rather, they mark the start, however tentative, of a new era in the political life of the People's Republic—one in which the authorities have officially sanctioned the right of the people to air their grievances and to criticize and debate government decisions in a manner not permitted in China for years.

The unprecedented wall-poster attacks last month on the late Chairman Mao Tse-tung and his radical policies, and on the more dogmatically Maoist members of the current leadership did not at first point to such an outburst of democracy. Coupled with reports of a secret meeting of the Chinese Communist Party's Central Committee, they seemed, instead, a sign that Vice Premier Teng Hsiao-ping was simply bringing to a climax the campaign he started over the summer to dismantle the cult of Mao and oust those senior officials opposed to his program of economic modernization and expanded interchange with the West.

Most China-watchers adopted this interpretation of events in Peking on the ground that what was happening looked very much like a repeat of the classic Cultural Revolution pattern of officially orchestrated wall posters, an internal power struggle and, eventually, a purge in the hierarchy. But they were soon proven wrong.

Instead of a round of purges, Teng announced to visiting foreigners, there would be no shake-up in the government; the leadership was stable and united in its determination to achieve the so-called "four modernizations" (agriculture, industry, science and technology, and national defense). Moreover, despite a directive banning personal criticism of Mao, Teng described the wall-poster campaign as a "good thing," which should be allowed to continue—as indeed it has. Posters put up since the directive was issued in late November have attacked a number of top officials for their role in suppressing the pro-Teng, anti-Gang of Four riots in Peking two-and-a-half years ago, and complained about problems ranging from poor housing to alleged persecution at the hands of corrupt party cadres. And with the exception of calls for President Carter to turn his attention to human rights violations in China—which were removed not because of the topic but because of the invitation to a foreigner to interfere in Chinese domestic affairs—not one poster has been torn down.

The poster campaign has, moreover, been coupled with important new moves to revamp the Chinese legal system, which was virtually destroyed during the past decade. Articles in the official press have called for the adoption of legal codes to guarantee the right of the people "to use methods of extensive democracy, including speaking out freely, airing views freely, writing big character posters, holding great debates, staging parades and demonstrations and even striking." Demands have also been voiced for laws to protect the public against arbitrary arrest and imprisonment at the hands of unscrupulous officials, and to insure that every person accused of a crime, whether common or political, be given legal counsel. Most significantly, perhaps, has been the call in the *People's Daily* for leaders to be chosen by secret ballot in free elections, and for the public to have the right to recall officials whose performances are unsatisfactory.

The intriguing question, of course, is why Teng Hsiao-ping, who is not known as an ardent civil libertarian, has permitted, if not actually engineered, this extraordinary break with past Chinese Communist political practice. Any answers must at this stage be tentative ones, but there appear to be several interrelated reasons for Teng's unexpected move.

First is the Vice Premier's conviction that modernization is the most important—and most revolutionary—task facing China today. Dismissing Mao's view that people can be changed through ideological exhortation alone, Teng appears to have concluded that only economic progress will undermine the backward and traditional ideas and values which continue to exist in China, especially in the countryside. And for modernization to succeed, Teng believes that the most repressive and rigid aspects of China's political and economic system must be removed.

Second, instituting legal safeguards to protect the rights of the people is a way for the 74-year-old Teng to insure that his highly popular policies are carried on after his death. Legitimizing the right of free speech, holding elections by secret ballot and implementing laws to guarantee that despotic officials do not ride roughshod over the ordinary citizen will make it much more difficult for the radical Left, with its tradition of mass mobilization and its disdain for formal legal procedures, to stage a comeback after Teng passes from the scene.

Third, encouraging public criticism of the extremist policies and personalities of the past decade serves to undermine the power of those radical-leaning officials still in office, and to pressure them to support Teng's development program. In this way, Teng can isolate potential opponents.

This movement for "socialist democracy and legality" does not mean that Teng intends to govern China along Western lines. Nonetheless, the measures now

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under discussion in both the wall posters and in meetings of the senior leadership could lead to significant long-term changes in the political organization of the People's Republic—a reduction in the influence and role of the Communist Party, more popular participation in government, an end to mass mobilization campaigns, and a livelier political and intellectual atmosphere. This pluralistic trend may also have paved the way for the decision by Peking to accelerate the process of normalizing relations with the United States. The China of Teng Hsiao-ping could well end up looking more like the Yugoslavia of Tito than the China that Chairman Mao ruled only a few short years ago.

MICHAEL CHINOY

Michael Chinoy, a fluent Chinese scholar, is a correspondent in Hong Kong for the National Broadcasting Company.

Namibia—Rhodesia Again?

The town of Windhoek does not have much atmosphere; its tedious neatness recalls suburban white Rhodesia, and in Namibia, as in Rhodesia, it is often hard to "feel" the imminence of total change. But if you wander around Windhoek for a while, the signs of the Namibian crisis do begin to disclose themselves. Rather like Maigret, arriving in a sleepy and silent town, the visitor gradually begins to notice patterns and reminders of other places in other times.

For a start, the main street is called Kaiserstrasse, and down this strip run all the blue-chip businesses. Here is the office of the fabled De Beers Diamond Company and here, sharing the building, is the office of the "Democratic Turnhalle Alliance" (in translation, Drillhall Alliance; the combination of brutality and sentimentality in nomenclature is familiar), the party built up by South Africa to take over the territory next year. Walk a little farther and you can turn into Goeringstrasse (after the family of the notorious Hermann). Farther along is a row of streets named for every composer from Brahms to Wagner, and on Brahmsstrasse is the headquarters of a church organization that denounces the Turnhalle Alliance as "neocolonial and reactionary." This used to be a German colony, and in the bars and hotels the red-faced businessmen inveighing against "Kaffirs" are, as often as not, doing their inveighing in German.

The Germans withdrew, after conducting a war based on principles of extermination which they later adopted to European use. Helmut Bley, a German scholar specializing in Africa, has written a book arguing that German colonial policy was one of the roots of Nazi racism. Looking up the record, one can see why. The Herero tribe, now split between nationalists and South African collaborators, used to be the largest in Namibia. It is now a small minority, in consequence of an "extermination order" signed by General von Trotha earlier this century. History is hard to shake in this territory.

Over the hill, just out of sight of the capital itself, is a sprawling and sordid African township. It is named Katutwa, which means "those without a home." Here the nationalist force of the South-West African People's Organisation (SWAPO) is exceedingly strong, and here the contract laborers from the north, who live in compounds under conditions of serfdom, plan for the day when they will get their country back. The United Nations has declared SWAPO the sole legitimate representative of the Namibian people, but its supporters are under no illusions—in this area the South African armed forces count for more than any number of General Assembly resolutions.

At the moment, the Namibian conflict divides three ways. On the one hand stand the black African majority, who have been fighting for a generation against illegal South African occupation of their country. Unlike their less fortunate Zimbabwean counterparts, they have managed to preserve a largely unified liberation movement which, although not without internal dissent, has contrived to keep military and political action unified.

Opposed to this movement, naturally enough, is the white oligarchy of Namibia, of which one-third is still German and the rest Afrikaner. Under pressure from SWAPO, they have modified the apartheid rules somewhat, and abolished the more irksome kinds of racial legislation (mixed marriage, for instance, is formally tolerated).

The Democratic Turnhalle Alliance rather resembles Ian Smith's Rhodesian Front, much as the December elections resemble Smith's "internal settlement." Dirk Mudge, the DTA leader, is a tough farmer with a long history as leader of a white supremacist party. He has imported some black figures into his coalition, but still relies chiefly on the South African and indigenous business interests who pay his bills (and have recently helped him buy up most of the newspapers in Windhoek). When I asked him if he was funded from South Africa he did not bother to deny it.

In the middle, between the black majority and the intransigent whites, are the Namibian white and black liberals and the five Western members of the U.N. Security Council (Great Britain, France, West Germany, Canada and the United States). The U.N. constituent in this group is, alas, rather feeble. The Namibian National Front and the group of ex-SWAPO dissidents are at least firm on their multiracial opposition to South Africa's plans for the territory, while the Western Five, in the words of Mr. Tlhabanello, SWAPO's spokesman in Windhoek, are "apparently compromised by their close economic links with South Africa itself." The pretense that the December 8th election—boycotted by SWAPO and decidedly won by the Turnhalle Alliance—could be followed by others properly organized in 1979 does not really bear examination when you remember that the 20,000 or so South African troops will certainly be staying on. What we are seeing in Namibia is another Unilateral Declaration of Independence, only this time backed even more strongly by Pretoria because those involved are of South African, rather than British, stock and

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because the economic stake is more direct.

Indeed, as the establishment South African *Financial Mail* put it, Namibia's economy "is operated in colonial style with South Africa as the imperial power, and with most of the spoils of fishing and mining sucked out by foreign firms." That, really, is the heart of the matter. South Africa wishes to retain control of Namibian uranium and diamonds, and to use the country as a position from which to continue the destabilization of Angola. It can do so only by fighting a classic colonial war, especially in the heavily populated area of Ovamboland where resistance is concentrated. With the lessons of Rhodesia staring it in the face, the West should do better than maintain "even-handedness" between the illegal occupier and the colonial subjects. CHRISTOPHER HITCHENS

Christopher Hitchens, foreign editor of the New Statesman *in London, recently returned from Namibia.*

Ringing Out, Ringing In

The retirement this month of two long-term editors of this journal is not so much a matter of the old order yielding place to the new as of a continuation of the tradition of dedicated craftsmanship which Robert Hatch and Marion Hess did so much to establish here. As Executive Editor and Copy Editor of *The Nation*, respectively, each for more than two decades, Robert Hatch and Marion Hess set standards of taste and scrupulous professionalism in the handling of words and ideas that will be benchmarks for their successors.

Their work here, week in and week out for a combined half-century, also offers us a challenge we will do our best to meet. In the case of Robert Hatch, his name will not disappear from our pages. In fact it will appear more often because, now that he is freed from the task of editing, he will be able to do much more of the film criticism that has made him one of the most interesting and respected of American writers on the cinema.

As editors, both of them brought the highest qualities of mind and of character, insisting on the best possible handling of the thousands of words we publish each week and raising craftsmanship close to the level of art. Many of the writers in these pages over the last generation know that they owe at least a part of their reputations for sense and style to the work of Hatch and Hess with their editing pencils. Even though they are truly irreplaceable, we pledge ourselves, their successors, to do our best to reproduce the spirit and skills they brought to this magazine. Patricia Dowling, who was trained under Marion Hess's calm and careful eye, will replace her as Copy Editor. Robert Hatch's successor as Executive Editor is Richard Lingeman, a distinguished alumnus of *The New York Times Book Review*, the author of a book already published (*Don't You Know There's a War On?*) and of another forthcoming work. Here at *The Nation* we will sorely miss Robert Hatch and Marion Hess. We hope our readers will not.

* * *

A few weeks ago we ran something of an honor roll of organizations effectively working on behalf of individual and human rights. This issue of *The Nation* is the best evidence that the Center for Constitutional Rights belongs near the top of any such list. The Center has played a major role in raising what may be the most important religious liberties question since the *Scopes* trial, in the *McRae* case, discussed by Aryeh Neier. And it seems no coincidence that a vice president of the Center, William Kunstler, should have compiled the devastating dossier on the FBI's letter-writing habits which leads off this issue.

THE *McRAE* CASE

(Continued from Front Cover)

ties Union, the Center for Constitutional Rights and the Planned Parenthood Federation of America, who represent Cora McRae and her fellow plaintiffs.

The *McRae* brief deals with a difficult problem, but it is not addressed in the scare headlines in *Commonweal* or *The Wall Street Journal* or in their supporting editorials. *Commonweal* points out that the ACLU had asserted "that its defense of American Nazis in the notorious Skokie case arose from its belief that the ACLU action had protected the First Amendment rights of all citizens." The editorial accuses the ACLU of violating the First Amendment rights of Catholics by arguing that restrictions on access to abortions violate the prohibition on laws respecting an establishment of religion and concludes by berating "ACLU attorneys who cannot be at least as solicitous of the First Amendment when a controversy involves American Catholics as when it involves American Nazis."

The answer to *Commonweal* and *The Wall Street Journal* is quite simple. Catholics, anti-Catholics, Nazis and anti-Nazis all enjoy the right to advocate the enactment of unconstitutional laws. The ACLU defends that right for all of them. But once the *government* engages in practices that are unconstitutional the ACLU goes to court to get it to stop. The authors of the *McRae* brief are clear in asserting that while Catholics and their sympathizers are free to advocate anything they choose, the purpose of the challenge to laws restricting access to abortions is "to invalidate the unconstitutional result of a constitutionally protected process."

The difficult question is how to determine when a civil law should be rejected because it embodies religious dogma. Plainly, mere concurrence with a religious code does not render governmental action improper else much of our criminal law would be invalid because it agrees with, and may even be derived from, religious principles. Most of us, however, would have little difficulty deciding that if the Jehovah's Witnesses acquired great political power and secured the adoption of a law making blood transfusions a crime or denying funds for blood transfusions that

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are available for other medical procedures, it would be invalid as an imposition of religious dogma through civil law. What principles can guide us in determining whether a governmental action violates the First Amendment's proscription of all laws respecting an establishment of religion?

Because of the long history of legal battles over allocating public money to religious schools and the role of religion in the public schools, in seeking principles we enter territory that has been much fought over. Over time, three principles have emerged in judicial decisions against which to test laws and practices: They must have a clear secular legislative purpose; they must have a primary effect that neither advances nor inhibits religion, and they must avoid excessive entanglement of government and religion.

It is possible to argue, as do the authors of the *McRae* brief, that the law adopted by Congress excluding abortions from Medicaid reimbursement violates all three principles. If they have any chance of prevailing in court, however, it seems evident that a decision will turn on whether the law they are trying to invalidate has a clear secular legislative purpose. In considering this issue Judge Dooling—and ultimately the United States Supreme Court, because the losing side in this battle will certainly pursue all possible appeals—will have to determine what clearly secular purpose Congress had in mind in adopting a law that singles out abortion for denial of funds.

Several secular purposes might be imagined. Abortion was once a very dangerous procedure and some of those who favored its prohibition were concerned with women's health. Today, it is much safer than childbirth. The only significant health danger from abortions arises when, lacking funds for safe medical abortions, poor women expose themselves to the hazards of cheap, nonmedical abortions. Plainly, the law cannot now have the purpose of safeguarding the health of women.

If the desire to restrict sexual promiscuity is a consideration in laws restricting abortions, it is rarely articulated these days. In any event, it is not a permissible one. The law challenged in *McRae* denies married as well as unmarried women reimbursement for abortions. To the extent that its purpose might be to restrict marital sex, it intrudes into a zone of privacy that the government may not enter, as the Supreme Court said in 1965 when it invalidated a Connecticut law dealing with contraception.

Saving money would certainly be a legitimate secular purpose, but no one believes the law denying funds for abortion will accomplish that end. Those poor women unable to get abortions will bear children and Congress has provided that Medicaid will reimburse the costs. Childbirth is a great deal more expensive than abortion, but that is only the start. There are the welfare costs for the children of the poor and for the women unable to work because of child care. No, the purpose is not thrift.

As to safeguarding potential, as opposed to actual, human life, was that the purpose of Congress? The literature opposing funding for abortion and the records of the legislative debates yield no hints of an intention to encourage population growth. If Congress wished to increase the population, surely it could find better ways than forcing hundreds of thousands of teenagers to bear children unwillingly because they cannot afford abortions. HEW Secretary Joseph Califano has been looking unsuccessfully for alternatives to abortions as a curb to teenage births, so safeguarding potential human life can hardly be his purpose in rigorously endorsing the law challenged in *McRae*.

When all is said and done, the only purpose served by the law is to protect what its supporters believe to be actual human lives. Catholic doctrine has it that the fetus may possess a soul from the moment of conception and that, at any rate, the fetus is preparing and calling for a soul. The "right to life" groups, as their name proclaims, also believe laws against abortion save actual human lives. So do virtually all the members of Congress who spoke out in favor of adopting the law. Their aim, as many of them put it, was "ending the slaughter of innocent children." Rep. Henry Hyde of Illinois faced the issue squarely when he introduced the amendment which resulted in the 1978 version of the law: "Abortion does not merely 'terminate a pregnancy' . . . it is the calculated killing of an innocent inconvenient human being. . . . That is a human life; that is not a potential human life; it is a human life with potential."

Unquestionably, saving human lives would be a valid secular purpose. To accept it, however, we must join Representative Hyde in his belief that a human life with potential exists from the moment of conception and not merely a potential human life. Many Americans share Hyde's views. Most do not. For those who do not share Hyde's view that the legislation saves actual human lives, and who regard that view as exclusively rooted in theology and supportable only by an act of faith, it lacks a valid secular purpose.

The authors of the *McRae* brief document in exhaustive detail the importance of the view to some theologies that actual life exists from the moment of conception and the rejection of this view by other theologies. They ask Judge Dooling to rule that those theologies for which Representative Hyde spoke may not be allowed to impose their dogmas on everyone else. Most judges would try to duck an issue so emotionally and politically charged as this. Dooling, however, has previously demonstrated a willingness to decide difficult questions, as when he issued his ruling in 1976 that temporarily stopped the cutoff in the funding of abortions. It is not possible to predict what he will do this time, but after all the testimony he has heard in *McRae* he is probably aware that whatever he does now the issue must ultimately be faced. There are many other aspects to the debate about abortion, but the underlying question has always been the one now brought to the surface: Should our laws reflect the views of those theologies that teach that actual human life exists from the moment of conception?

ARYEH NEIER

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ARTICLES.

THE LOYOLA OPPOSITION

El Salvador's Rebel Priests

BJORN KUMM

In the country they call "The Savior" it has been difficult these past few years to be a peaceful man of God. Catholic priests have been murdered in El Salvador, a volcanic mini-republic in Central America. And during last year's Presidential election, a right-wing terrorist group (terrorists do not all belong to the Left), calling itself "The Union of White Warriors," threatened to kill all the Jesuit fathers living and working in the country.

In El Salvador, there is a head-on collision between the government, controlled by rich coffee planters, and the Catholic Church which is today the country's only effective legal opposition. There is also an extralegal opposition in the shape of a guerrilla movement which of late has made a number of spectacular kidnappings (and one assassination) of foreign businessmen whose employers have had to pay large ransoms, partly to the guerrilla movement and partly to *The New York Times* and other newspapers for publishing guerrilla manifestoes in huge, unreadable advertisements. Four foreign businessmen have yet to be released.

Catholic priests are unlikely revolutionaries—or at least they were in the Latin America of earlier days, when peasants knew their station and the churchmen considered it their main task to provide the sacraments as magical rites among Indians who saw little difference between the Church and their ancient pagan ways. In those days, too, the Church was a trusted ally of the landlords, the oligarchs.

In the past decade, after Pope John XXIII's "Populorum Progressio," the Second Vatican Council, and the 1968 meeting in Medellin, Colombia, of Latin American bishops, things have changed a great deal, and not only in El Salvador. (See "Pawns and Bishops: Torture, Murder & a Church Divided" by Penny Lernoux, *The Nation*, September 30.) "The Church in Latin America used to be pre-Christian, almost pre-Abraham," says Father Miguel d'Escoto, a Maryknoll priest who spends most of his time actively trying to end the dictatorship of the Somoza family in El Salvador's next-door neighbor Nicaragua.

"If our founder, Ignacius de Loyola, were alive today, he would not spend his time trying to influence the powerful," says Paco Estrada, former head of the Jesuit organization in Central America. "If Loyola had been our contemporary, he would have sided with the people. We cannot go on telling the peasants to be humble and wait for rewards in the next world. We have to tell them: Organize! There is strength in unity!"

It is small wonder—when even Jesuits talk like political activists—that the men of power in El Salvador the men whose fathers built the big coffee plantations and are now themselves diversifying into industry feel that their whole world is threatened.

"There are priests in this country who talk as if they were Fidel Castro," says Ernesto Rivas Gallont, secretary general of the Salvadorean Association of Industries (and in his spare time honorary consul of Rhodesia and South Africa). "The priests are telling the peasants that everything should be distributed equally. They divide the world into the good ones and the bad ones. They side with the peasants. They consider us the bad ones."

El Salvador, so small and seemingly insignificant that it was called *"el pulgarcito,"* the tiny thumb, by Chilean poet Gabriela Mistral, has been a tight dictatorship for the past forty-seven years. There was a peasant uprising in 1931, "the first Communist revolution in Latin America," says Mr. Rivas fearfully, but it was much less violent than the ensuing repression which cost the lives of some 30,000 people. The general who saw to that massacre then had himself elected President and ruled for the next decade and a half. The oligarchs on the coffee plantations thought it convenient to let the military run the government and maintain necessary repression, while they themselves concentrated on making money.

So solid was the power of the coffee men that El Salvador is the only country in Central America that has never been controlled by or a pawn of the United Fruit Company, the imperialist specter of the area. Even today, U.S. companies find it difficult to get a toehold in the country. The Salvadorean oligarchs are very much in charge of the national economy and tend also, in recent years, to keep tighter control of the military, which they have delegated to preside over the political order. The government's candidates regularly win elections in El Salvador; last year many people did not get to vote at all, since the ballot boxes, mysteriously, were filled to the brim long before the election booths opened.

A current joke in El Salvador tells of how President Carter, the Pope and the incumbent Salvadorean President, Carlos Humberto Romero, found themselves together in a boat too small for all three. Each, therefore, had to make the case for why he should not be the one to jump into the shark-infested sea.

"I am the President of the most important country in the world," said Carter.

"I am the spiritual father of the greatest Church on earth," said the Pope.

"I am the greatest democrat of all," said President Romero, "but let's vote"—and he won by seven votes.

The political opposition in El Salvador is bitter about the habitual rigging of the country's electoral system, but the government has been ruthless in its repression of popular protest. Its soldiers shoot without hesitation into public gatherings, student demonstra-

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tions, peaceful assemblies of unarmed peasants. El Salvador may be an underdeveloped country (less underdeveloped, nowadays), but it has managed to set up a fairly efficient police state. Mail is regularly being tampered with. A group of Spanish specialists has taken over the telephone company, to tape telephone conversations and drop a friendly hint to surprised citizens that they would be wise to stop calling certain telephone numbers, lest they be suspected of subversion. A radio producer at the Catholic University was summoned to the Ministry of the Interior, handed the entire transcript of his program and told to stop producing it.

Out in the countryside, the government, with the help of the army, has built up a paramilitary organization, called Orden. (*Orden*, in Spanish, means "order," both in the sense of a command, and as in the colloquial "law 'n' order.") Into this organization, the army recruits wealthier landowners (in land-hungry El Salvador, the owner of even a couple of acres of arid land is considered well-to-do) and some of the landless farm workers. They are given some military training (the government hesitates, however, to give them guns) and told to keep tabs on possible revolutionaries in their areas, especially union organizers and Catholic priests.

One of the Salvadorean priests murdered last year was Father Rutilio Grande, a mild-mannered Jesuit who had recently taken over the parish of Aguilares, near his own home town of El Paisnal. With two of his parishioners, a young boy and a man in his 70s, Father Rutilio, himself 46, was cut down by machine-gun fire as he was driving on a Saturday afternoon to celebrate Mass in El Paisnal.

Father Rutilio certainly was no wild-eyed revolutionary. He had spent his formative years at seminaries in Europe and Central America, often in great spiritual anguish, since he did not consider himself a good Christian. With some Jesuit colleagues of more radical views, he arrived in Aguilares in the early 1970s and found that his task in the area almost amounted to missionary work, preaching the gospel all over again to peasants who had been left on their own by the priests, except that they were regularly squeezed for money in exchange for services at baptisms, marriages and funerals.

"The peasants around Aguilares are living under medieval conditions," said Father Rutilio. "They are serfs under their landlords. The wealthy coffee farmers of El Salvador have ceased being Christians. It is not our Lord they are praising when they get up in the morning. They cross themselves in the name of their lord, Coffee. And when they have prayed to their lord Coffee, then they pray to their lord Sugar."

Prophetically, Father Rutilio referred to the landowners in the Aguilares area as his "brothers Cain," but kept praying for their souls. Six months after he and his colleagues started their work in the parish, a major strike hit the sugar plantations, organized by two radical peasant organizations with Catholic links.

The Jesuits protested that they had not actively organized the peasants, but to the landowners the very fact that these priests were different from the clergy of the past—that they relied on lay people to carry out evangelizing work, taught the gospel in Spanish instead of Latin, which no one understood, and refused payment for the sacraments—was enough indication of subversive activities. And the Jesuits were preaching the need for the peasants to organize.

A couple of months after Father Rutilio's death, the army moved in force to occupy Aguilares and expel the remaining Jesuits. Aguilares was kept under occupation for eight days. Every house in town, except the minuscule co-operative store (which had some international backing from the Scandinavian-financed Latin American Institute of Co-operative Integration) was ransacked, the soldiers looking for Communist literature and in some instances seizing Bibles and portraits of Father Rutilio. A peasant who tried to ring the Church bell to alert the surrounding villages was shot down—"like a bird," said bystanders. A number of other people "disappeared." Bodies were stumbled upon in Aguilares long after the army withdrew.

Today, there is still terror in the town, but the army has not been able to stop the parishioners from putting up a statue of Father Rutilio outside the Church (it does not look very much like the original, more like Raul Castro) and, inside, a portrait (a better likeness) that covers an entire wall. However, the Easter procession this year, usually carried out in absolute silence, was disrupted by the soldiers, who fired over the heads of the participants.

In El Paisnal, silent men with machetes and handguns tucked into their belts watched as I nervously asked for the key to the Church. It is a simple building in whitewashed adobe; up front, near the altar, were the three graves where Father Rutilio and his two friends are buried. The silent men were almost cer-

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tainly members of Orden, under instructions to keep an eye on the peasants and farm workers and to watch out for foreign agitators—among whom the regime includes Catholic priests.

It would be difficult, however, to include Archbishop Oscar Romero of the See of San Salvador among that crowd of foreign agitators and revolutionaries who, according to the government, have been invading the country and using the Catholic Church as a front. Archbishop Romero (no relation to the President) belongs to an old aristocratic Salvadorean family. He is a true member of the country's oligarchy and was considered right wing in matters of state and Church when he was appointed Archbishop in 1976.

Archbishop Romero is an intensely private man who suffers a great deal from the public stand he has been forced to take during the past two years. He says that he would prefer to make his protest by withdrawal, by keeping absolutely silent. But circumstances do not permit. The death of Father Rutilio, his close friend, seems to have been the turning point for the Archbishop, who has literally become the voice of the opposition in El Salvador.

Every Sunday morning at eight o'clock the giant cathedral in the country's capital is so packed that the congregation spills out onto the sidewalks. The former Cathedral burnt down a few years ago, under mysterious circumstances, and the present structure is hardly impressive, looking like a great unfinished hangar. The government has been contributing toward a new building, but the Archbishop seems uninterested in architecture.

"He does not consider it his task to erect buildings," says a Catholic nun in El Salvador. "What the Archbishop is really doing is building the people."

Every Sunday morning, the sermon of the Archbishop, the unwilling leader of El Salvador's opposition, is broadcast from the Catholic University station. It thus reaches into the smallest villages, and makes itself heard even to the poorest farmers tilling the soil at the very rims of the volcanoes. The Archbishop does not mince words. Sunday after Sunday, he has been lambasting the regime, accusing his fellow oligarchs of being bad Christians who use violence to impose their will on the people.

"We are seeing the ugly face of our history," preaches the Archbishop. "It is not the Church which is sowing the seeds of violence. Violence is the fruit of unjust laws which benefit only one sector of the population. If the Church is trying to change things and at the same time trying to maintain its identity, keeping true to Christ, this is not communism, it is Christian justice. Our Savior taught us that you must lose your life in order to gain eternal life. That is the dialectic of the Church.

"But," adds the Archbishop bitterly, "these men who are ruling us do not want to lose anything at all."

Archbishop Romero thinks it is likely that the government will intervene and slap a ban on his sermons. However, until he is silenced he will go on preaching and presenting to the public the testimonials of peasants who were evicted from their houses and their bits of land during the clashes between Orden and the peasant organizations.

Making their way over the mountains, the roads being blocked by the army, hundreds of peasants and their families reached the Archbishop's office in a seminary in San Salvador. It is doubtful that they will ever be able to go home. They will add themselves to the hundreds of thousands of slum dwellers in the capital.

"The clashes in the countryside, in effect, help the landowners to modernize agriculture, as well as rid themselves of agitators," says an observer. "The coffee men made lots of money during the past few years' coffee boom. They need fewer workers on the land, and the population is increasing steadily. But they might need them in the towns, as cheap labor for their new tax-free industries geared for exports. Our oligarchs have always been able to adapt to new circumstances."

For a little while, the Salvadorean oligarch was running scared. Many members of the leading families (they are popularly known as "the fourteen," but are in fact somewhat more numerous) moved to Miami where a number of them have bought expensive condominiums. Now they are returning. They still worry about the Church and its revolutionary priests, but are heartened by the growing presence of U.S.-financed Protestant missionaries.

"The Protestants are true Christians," says Alfonso Quinones Mesa, a leading Salvadorean oligarch and once his country's "coffee ambassador" to London. "They do not mix religion with politics." □

MOBIL-IZING FOR ACTION

Business Wars on The Regulators

JOHN TIRMAN

While Howard Jarvis, Pied Piper of Proposition 13, was stealing the year's headlines with his seductive melody of popular reaction, the true guardians of the Right, the relatively anonymous corporate managers, were waging what appears increasingly to be a religious war—the crusade against government regulation. The call to arms can be heard, as usual, in the business media. *The Wall Street Journal*, no surprise, never misses a chance to excoriate an offending agency, usually in two or three sermons a week. *Time*, *Newsweek*, the *New York Post*, the *Los Angeles Times*, *The Washington Post*—all have recently railed against the multiple sins and wickedness of "excessive" regulation. Charges become more shrill and the use of the pulpit more frequent, with the evident wrath of Jehovah ever more cruel: rampaging inflation, low productivity, shut-down factories, burgeon-

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ing bureaucracies and, Lord help us, bridled profits.

The corporate diatribes conjure up images of a titanic struggle. A Mobil ad warns that the regulatory "reactionaries" have pulled off a "massive transfer of power . . . from those who produce goods to those who produce ideology." At its root, says Mobil, is "an attempt by government to dictate decisions that can best be made by those in the private sector." The "overgown and virtually insatiable regulatory bureaucracy," Mobil concludes, has produced a "national orgy of regulation [that] has done vastly more harm than good." *The Wall Street Journal* speaks of the "excessive zealotry" of bureaucrats who "make little secret of their desire to have the federal government exercise direct authority over corporate management." The *Journal* easily locates the villain behind the decline of American industry: "When we wonder why . . . economic growth fails to meet our hopes, we ought to notice that we are being bled to death by berserk proceduralism."

Hyperbole aside, the businessman (and business editor) pushes a simple thesis: Dozens of regulatory agencies, having nothing constructive to do, promulgate thousands of regulations which require tons of paper work, expensive new equipment, unproductive adjustments in the workplace and higher taxes. Government regulation has been blamed for the misfortunes of the steel industry, the energy crisis, skyrocketing food costs and a chronic housing shortage. The cost of regulation, say its foes, has reached $100 billion a year—5% of GNP—and is rising rapidly. Sadly, they add, these costs must be passed on to the consumer. Everybody loses.

Why this outcry at just this time? The regulation of business, which is something of an American invention, has a long and jaded history. Reams of social science literature have shown that over the years business and its regulators have become anything but odd bedfellows. Federal bodies typically have protected regulated industries from competition, approved rate hikes without a second thought and generally stifled innovation while closing their eyes to consistent abuses of the "public interest." Corporate executives would suddenly appear as heads of their corresponding regulatory agency, and vice versa. Liberals decried the violation of regulation's progressive intent; radicals sneered at one more example of the historic collusion between capitalism and its puppet state.

But regulation has had two distinct phases in American history. The first originated in the 1870s, during the years of a fervent prairie populism, and continued into the New Deal. The monuments of that progressivism were the Interstate Commerce Commission (1887), the Federal Trade Commission (1914), the Federal Power Commission (1920), the Federal Communications Commission (1934), the Civil Aeronautics Board (1938) and similar bodies at the state level. Most of them were designed not only to monitor "natural monopolies" but, in effect, to insure their hegemony. The jurisdiction of the commissions was generally limited to setting rates and granting routes, channels and the like. It rarely happened that an industry was not given exactly what it wanted; more often, commission rulings protected the monopolies from price competition and stabilized their expansion in ways that an unregulated market would not.

In recent years, however, a second form of regulation has appeared, one that attempts to address the "social costs" of industrialism. Four are particularly important: the Occupational Safety and Health Administration (OSHA, 1970), the Environmental Protection Agency (EPA, 1970), the National Highway Traffic Safety Administration (1970) and the Equal Employment Opportunity Commission (1965). The fundamental principle guiding these agencies is that traditional market mechanisms are inadequate to reverse racial (and sexual) discrimination and to prevent abuses of the natural environment, the consumer and the individual worker. That these agencies have for the most part taken their mission seriously is what provokes the businessman's present lament. The corporations are being held accountable for their transgressions, and they don't like it.

And the Carter administration is getting that message. Although elected with strong labor and environmentalist support, the President has repeatedly urged a slower application of rules to enforce job safety, environmental protection and product quality. OSHA and the Labor Department recently rescinded 1,000 regulations, declaring them "unneeded or unrelated to job safety and health." This fall, the Council on Wage and Price Stability (COWPS), a White House body, criticized EPA air pollution standards as being too stringent, even though the agency had already reduced its requirements for clean air. This month COWPS lambasted the Interior Department for its rules on strip-mining pollution in an analysis which, according to one report, "scolded the writers of those rules in language reminiscent of attacks on them by the mining industry." The President's concern to curb inflation is so urgent that, in an attempt to reduce regulatory costs, the White House has directed all federal agencies to carry out economic impact reviews of current and planned regulatory sanctions. If, as expected, the 96th Congress is more pro-business than its predecessors, it will maintain that pressure.

Lost in this surge of anti-regulation is any balanced evaluation of the actual cost of regulation. Businessmen extol the benefits of deregulation in certain highly visible cases, as with lower airline fares and the savings expected from a deregulated trucking market. They then extend the example to contend that a drastic reduction of *all* regulation would bolster the economy in like fashion. But that is an apples-and-oranges comparison. Deregulation of rate structures to promote price-lowering competition differs radically from deregulation of the "social cost" variety. A "free" market does not send corporate managers scrambling to excel their competitors in improving workplace safety, product quality or the environment; it does precisely the opposite. Yet when the costs of regulation are assessed—$100 billion is the figure usually cited in the business press—these two categories are lumped together.

What, then, is the cost of regulations aimed at im-

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proving the quality of life? There is a pro-business bias as well in the way these costs are measured. It is simple enough to compute the cost of a coal stack scrubber or the annual budget of EPA; it is quite another matter to put a price on environmental damage that does not occur because of effective prevention. Gus Speth, a member of the President's Council on Environmental Quality (CEQ), sums it up this way: "Our economics counts up the money we *have* spent [to enforce environmental statutes]; it is just beginning to take account of the money that we did *not* spend to repair the consequences of our carelessness." For every Kepone incident, oil tanker spill, coal mine accident, or Love Canal evacuation that does not occur, there are not only enormous savings to taxpayers but a saving in human terms that is incalculable. But businessmen prefer not to discuss—or recognize—costs that aren't reflected on a bottom line.

And even counting the true cost of "disasters" would be inadequate; a complete analysis should include the chronic effects of economic growth as well. A few studies have attempted to measure this factor, and the results are consistently contrary to prevailing corporate dogma. Two are particularly instructive. The first, conducted by Lester Lave and Eugene Seskin, economists at Carnegie-Mellon's graduate school of industrial management, finds that the benefits of achieving 1971 standards for smokestack pollution far outweigh the expense. Conservatively estimating a 7% reduction in illness and death caused by sulfate and particulate emissions, the authors show that $20 billion would be saved in health expenditures by utilizing pollution abatement equipment costing $10 billion in the 1979-85 period. (They also point out, however, that reducing auto emissions may cost more than what is saved on medical bills.) They believe, in fact, that environmental laws are probably less stringent than they should be, purely on the basis of direct costs, again without reference to human suffering or associated economic dislocations (such as lost productivity or property damage).

A second study evaluates the much trumpeted relationship between safety/environmental controls and inflation. Businessmen repeatedly cite EPA and OSHA standards as major factors in higher prices, an attitude Carter echoed in his October anti-inflation speech. This relationship was analyzed by Chase Econometrics, a group highly respected in corporate circles. Their conclusion: federal controls add, at most, 0.4% to the Consumer Price Index for the period 1970-83. A drastic 25% cut in environmental regulation would, therefore, reduce the present rate of inflation by only 1/100th, and that figure does not reflect the economic benefits of such sanctions.

So too with jobs. It is an axiom of the corporate line on regulation that jobs are inevitably lost because capital that is nonproductive when used to comply with federal standards would otherwise go into job-creating investments. CEQ's Speth debunks that claim, citing statistics to show that, while 20,000 jobs may have been lost because of stepped-up environmental protection, another 600,000 were created in firms dealing in pollution abatement. That such companies, because they do not manufacture consumer goods, are therefore unworthy of notice in a production-oriented economy, surely calls into question the worth of the entire service sector which now accounts for more than half of the GNP.

Indeed, the long-term advantages of vigorously enforced environmental standards may be considerably greater than those studies suggest. Lester Brown, head of the Worldwatch Institute, argues that inflation is aggravated by the destruction of cropland, grassland, air quality and the like, in an irrevocable process. The world's resource base is critically reduced and the effects, he notes, are "rising real costs resulting from the diminishing and negative returns experienced when off-take exceeds the regenerative capacities of biological systems. Under these circumstances, the real cost of production can only rise." In this lesson of prudent resource management there is an irony that shouldn't be lost: ecology activists, so often portrayed as wealthy elitists, are actually the most cogent guardians of price stability.

Moreover, the economic benefits of *increased* regulation have not been calculated. The rising incidence of cancer, for example, is a grave concern in the medical community and has been an emotional focal point in the regulatory debate. Laboratory studies, usually involving experiments with animals, are often debunked in the business press as being inadequate to assess human risk. Some corporate spokesmen have gone so far as to accuse the Food and Drug Administration of using "scare tactics" when cancer data are published. But the statistics are indeed scary: 400,000 Americans die of cancer each year (about 85,000 from smoking-induced cancer); many more hundreds of thousands survive after painful—and expensive—treatment. Doctors now describe cancer as an epidemic, and agree that 70% to 90% is environmentally caused. The cost in medical expenses alone is in the billions annually. And this is for only one category of the diseases largely caused by lax environmental protection.

It should be noted, too, that the economic strains brought on by increased regulatory activism have resulted from accumulated neglect. "We have to catch up with 200 years of tragedy in the workplace," says OSHA head Eula Bingham. "There are things we have known about for more than 200 years, things such as lead poisoning, dangerous fire escapes, dangers from aromatics and metals that we haven't done anything about. But we can catch up. And when we do, the burden on this agency will become much lighter." But even with the heightened awareness of Dr. Bingham and others like her, it is difficult to stem the tide of abuse. In 1977, for instance, industrial illness and injury actually increased; they now afflict 10% of the nation's workers annually. Yet OSHA is usually cited as being the most meddlesome, even oppressive, regulatory agency.

Corporate protests against regulation have another interesting dimension—their calculations are not only one-sided, they are persistently deceptive. They hide an important, perhaps major, cost of regulation: the activities of business itself. Michael Pertschuk,

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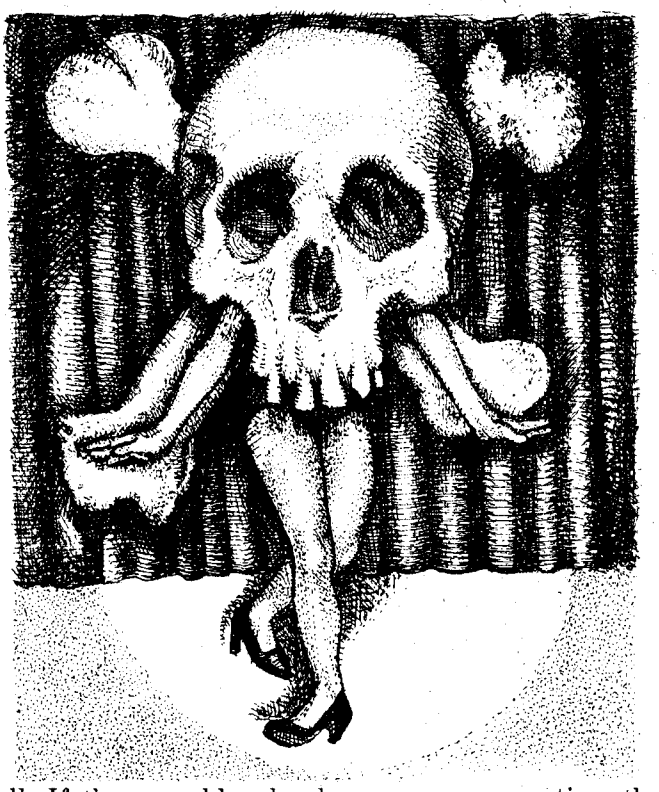
chairman of the Federal Trade Commission, discussing the point in a speech in Chicago last October, declared that "The most costly—and least justified—regulatory burdens flow from economic regulation by business, of business, for business." He cited several examples, including the attempts by pharmaceutical companies to prevent drug stores from selling lower-priced generic brands, and called such practices "defiance of the law . . . anti-competitive and inflationary." But although Pertschuk's claim is probably on target, business' contribution to regulatory costs is more direct than its long-standing tradition of monopolistic behavior. Two forms of this contribution can be discerned: scapegoating and stonewalling.

Scapegoating is especially obvious in the nuclear power industry. Though the beneficiary of some $200 billion in federal subsidies, nuclear power is increasingly regarded as an unjustifiably expensive and wasteful form of energy production (to say nothing of its hazards). Nuclear advocates most often lay the blame for escalating costs on what one utility president called "a nightmare of red tape"—the licensing, siting and safety requirements which, they contend, extend construction time and tie up capital. In the face of claims by the industry's critics that the procedures now in effect are inadequate to deal thoroughly with the myriad problems of nuclear power—very few projects have met the delays of Seabrook—the nuclear industry is confident that relaxed regulatory standards would, as one business writer put it, "reduce the time for completing a power plant to six years and thus help make construction costs lower and more predictable." But according to an exhaustive Rand Corporation study on nuclear power, these industry assertions are false and self-serving. The report, published last year and decidely pro-nuke, concludes that long lead times and the wildly escalating costs of nuclear generation must be attributed to poor planning and management: "Charges made by the industry that licensing procedures and protests by environmentalists had seriously hampered the growth of nuclear power are not supported by the evidence; . . . delays caused by these factors were minor compared to the start-up delays within the industry itself." It is symptomatic of anti-regulation fever to scapegoat federal agencies for industry failures, even in a sector that has enjoyed the most favorable government treatment.

Stonewalling is an even greater business contribution to the costs of regulation. Every new regulation, every request for information, every inspection tour is routinely resisted. Corporations automatically challenge government sanctions in court, and such litigation is time consuming and expensive. The administrative machinery needed for enforcement is often staggering; the size and competence of each corporation's legal staff usually rivals that of the entire corresponding federal agency. As one dismayed OSHA official complains, "They simply have us outgunned. They can hold up the process forever. Each new evasion requires a more detailed regulation, and that means more paperwork, more loopholes. Eventually we have to compromise to get any compliance at all. If they would only show some cooperation, the whole process would be vastly more efficient."



The stonewalling strategy, and the war on regulation generally, is almost certain to impede the effectiveness of the regulatory agencies. Last spring even the Supreme Court got into the act, ruling that OSHA must have warrants to inspect plant conditions. The attacks from the President's economic advisers are calculated to make enforcement more defensive and hesitant, even as goals and standards are reduced. "We have been guilty of the sin of omission," Eula Bingham said in a recent interview. "We were so concerned with health that maybe we were at fault for not presenting more data on cost effectiveness." That may be a laudable reassessment, but one wonders if the pendulum swing toward cost/benefit ratios won't lead to decisions that jeopardize both the effectiveness of the agencies and the real economic benefits of their activism.

Business will continue to wage its holy war against regulation with ample armaments: billions in advertising dollars and a stridently sympathetic business press. The preaching now even includes an attack on the motives of the regulators, portraying them as a "new class, engaged," as Irving Kristol says, "in a class struggle with the business community for status and power." That this "new class" may simply be serious about health, safety and equal opportunity does not fit well with the anti-regulation crusade; the corporate apologists must impugn the regulators' motives as evil or illiberal, even as they denounce the heresies of "unnecessary" and "excessive" costs.

Regulation is an imperfect system, nearly as imperfect as the economic system that spawned and requires it. As the OSHA official observes, "If they didn't create hazardous conditions to begin with, the regulations wouldn't be necessary at all." □

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GADFLIES & DREAMERS

Exorcising the Nixon Within

JULES FEIFFER

I've never met Carey McWilliams but I know that he's a very civil man because civility shines through his writing, his *Nation* editorials and the gift of books he's offered us through the years. What strikes me as so remarkable in his work, particularly at this time, is not only his social vision, from which many of us have profited over the years, but the tools of great decency and mannerliness he employs to let us know what is going on. There is a plausible explanation for who and what we are, he seems to be saying, and he traces with humor and patience the broken field of clues that took us from where we were to where we are. His tone is so pleasant you'd hardly think him a radical; his manner so patient you'd hardly think him a gadfly. Rather than declaiming from the rooftops, he informs from the brain and the heart—a preacher in the best sense, one with whom professional preachers and "Born Again" Presidents are not given to feel safe. A distinguishedly dangerous man.

Civility is a waning cultural characteristic these days—at least when connected to real feelings, like a sense of justice, or a sense of inquiry, or a passion for fair play, or the spreading of truths. That form of civility has been replaced by a civility of blahblah, a civility of valuelessness and uncivil civility. A cosmetic. In the 1970s civility has become just one more code word. The last public figure celebrated by our press for his innate decency was Gerald Ford. Language has come unglued; ideas have gone into the public relations business.

McWilliams writes simply and directly. He is trying to explain, and out of his explanation comes a quality of reason. When we read the current crop of analysts and experts, an abyss of senselessness opens at our feet. Previously positive language has been converted into a negative vocabulary in code. Integration used to be a positive word, seemingly straightforward. Today it's a negative word, signifying court-ordered busing. Equal opportunity used to be a positive idea, but not so today. What is dressed up there in code is reverse discrimination. The names of organizations like The Poverty Program, Vista, Head Start, used to have a positive sound. Now they have all been banished under the negative code phrase, throwing dollars at problems. It is bad, very bad, to throw dollars at problems. It's very good to throw dollars at the army, which will arrest and detain the problems. Throwing dollars at the army is not inflationary; food stamps are.

Jules Feiffer, the cartoonist and writer, spoke at the dinner given on November 29 to honor Carey McWilliams. The article printed here is adapted from that speech.

And just as the quality of our language has suffered so has the quality of our gadflies. The gadfly busines used to go hand in hand with the hope business. On read gadfly journalism in order to discover the prob lem, learn the roots beneath the problem, and begin t work on ideas that might solve the problem. Gadflie were not cynics; they were innocents. They actuall thought that, once people were told the news the would do something about it. They would organize they would act, they would force change. The 1960 dealt a telling blow to that innocence, with the resul that today we are not suffering from a shortage o gadflies but from a shortage of hope.

Traditionally, only the simple-minded perceived th American dream as a reality. It was looked upon rather, as a source of inspiration, a mythology to oil th squeaky wheels of our social, political and cultura needs. A shot in the arm for the armless. In times whe we were grounded it lent us wings. Hope, the spirit o optimism, a belief in a perfectable future—illusions o not, they gave us the energy and the *hutzpah* to ris above the moralizing, to refuse to accept the rules, t go out and change the rules, to go out and redefine th game. The nature of the dream was that anything wa possible; the nature of the gadfly was to show that ou rulers were tampering with the dream. The two wen hand in hand, the dream and the gadfly. But hope i now in short supply and our gadflies seem to be work ing these days not so much to change us as to titillat us. I'm afraid that the gadfly business, like the rest o America, has turned into show business.

Gadflies were at one time considered danger ous, subversive, scorned by the better, the more established and more responsible edi torial sensibilities. Not so now. Today's bearers of bad news often become celebrated on the spot. It's no longer a matter of "say it ain't so" when we read the latest awfulness. Now it's a matter of "more more; I want to hear more." These days we let our selves off with the plea that everything is rotten. I reinforces our belief that nothing can be done. It give us the excuse we need to do nothing. Exposure has be come the moral focus for our cynicism, the rationale fo believing the worst of everything and of everyone.

Even during times when, as individuals, we may be having a very good time indeed, it seems to have hap pened that, having been obsessed by Nixon for al those many years and then having got rid of him, we discovered something was missing from our lives— something that had carried us through the 1950s int the '70s. We missed the Nixon in our lives. We were a nation that cast out Nixon and then pined for him. No having Nixon we did the next best thing—we became Nixon. We embraced the measliness, the miserliness the nastiness. Nixon took up residence in the Ameri can soul. It was about then that the movie, *The Exorcist*, was released.

It is the Nixon in us who cannot understand civil lib erties, when it gives the same rights to our enemies as it does to us, because that Nixon in us has its own ene mies' list. Why should anyone on my enemies' list have rights? Only people I agree with should have rights Not Nazis or Kluxes or gangsters or pornographers or

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abortionists or prostitutes or, God knows, reporters—it's the Nixon in us that despises the press. Americans like a free press only when it prints what they agree with. When it doesn't, it's in bad taste; it's not in the national interest. Pull the advertising; put the sons of bitches out of business. The Nixon in us wants to kick the fags out of the schools—or for that matter, off the planet. Because if you have to take the fact of homosexuality into your real picture of life, how in the world can you go home at night and relax over a few beers with the boys? The Nixon in us knows that the little man, the small property owner, is losing out to the Marxist minorities. We must defend ourselves. We are forming a circle of wagons around the entire country.

Now one of the good and bad things about us as a people is that we are the preachers of fast cycles. We go in for fast foods, fast cars, fast bucks, fast answers, fast cynicism and fast despair. The Nixon cycle is sure to be sucked down in the sociopolitical whirlpool. Hope is bound to spin up again on the wash-dry cycle. Our spirits will revive for no better reasons than they departed—that in order to survive, mere survival isn't enough. We need hope, whether or not it is for real. We need optimism even if it requires reinvention. We need plain no-nonsense good sense—not just a vision but an intelligence to encompass the vision, to aid us in avoiding authoritarian shortcuts and Guyanese gurus. Good sense and plain thought were once our valued mainstays. It is no special tribute to Carey McWilliams to say that, if what's coming up in our future is informed by a man of his directness and clarity, we have a chance for better times. And if not, whatever the alleged progress, we are odds on to discover somewhere down the road that we've been had. □

Purple Page

(Continued from Front Cover)

caption, COINTELPRO. Intrigued by this designation, Carl Stern, an NBC reporter, filed suit under the Freedom of Information Act to compel the Bureau to produce all documents bearing it. As a result, the general public soon learned that the caption was an FBI acronym for a series of covert programs against political activist groups, which included incitements to murder, burglaries, defamation of character and innumerable instances of illegal wiretapping, to name but a few.

One of the most despicable—as well as dangerous—COINTELPRO techniques was the indiscriminate use of Bureau-composed letters designed primarily, as the Church Committee later found, "to weaken groups by setting members against each other, or to separate groups which might otherwise be allies, and convert them into mutual enemies." These anonymous or disguised mailings ranged from communications accusing activists of sexual misconduct to those falsely labeling them as government spies or informers. As the Church Committee put it: "Letters were . . . sent to parents informing them that their children were in communes, or with a roommate of the opposite sex; information on an actress's pregnancy by a Black Panther [was] sent to a gossip columnist, and information about a partner's affair with another partner's wife was sent to the members of a law firm as well as the injured spouses." In some instances, counterfeit postcard notices of Communist Party meetings or activities were sent to targets at their business or professional addresses.

Largely because of her outspoken opposition to the war in Vietnam, Jane Fonda was often the object of the FBI's anonymous slurs. In June 1970, after Army Archerd, a Hollywood gossip columnist for the *Daily Variety*, had reported that Ms. Fonda had attended a Black Panther Party (BPP) fund-raiser, the Bureau sent a letter from one "Morris" to Archerd. It read:

> Dear Army:
> I saw your article about Jane Fonda in Daily Variety last Thursday and happened to be present for Vadim's "Joan of Arc" performance for the Black Panthers Saturday night. I hadn't been confronted with this Panther phenomenon before but we were searched upon entering Embassy Auditorium, encouraged in revival-like fashion to contribute to defend Black Panther leaders and buy guns for "the coming revolution," and led by Jane and one of the Panther chaps in a "We will kill Richard Nixon, and any other M-F-er who stands in our way" refrain (which was shocking to say the least!). I think Jane has gotten in over her head as the whole atmosphere had the 1930's Munich beer-hall aura.

When he approved the sending of this communication, the avowed purpose of which was to "detract from [Fonda's] status with the general public," Director J. Edgar Hoover emphasized that the Los Angeles Field Office had to "insure that the mailing cannot be traced to the Bureau."

One particularly venomous communication was sent by the St. Louis Field Office to the husband of a white woman who was an officer in ACTION, a local interracial spinoff from the Congress of Racial Equality (CORE). The note read as follows:

> Dear Mr. B:
> Look man I guess your old lady doesn't get enough at home or she wouldn't be shucking and jiving with our Black Men in ACTION, you dig? Like all she wants to integrate is the bed room and we Black Sisters ain't gonna take no second best from our men. So lay it on her, man—or get her the hell [out of the area].
> A Soul Sister

Four months later, the office gleefully reported to Washington that Mr. B and his wife had recently separated. "This matrimonial stress and strain should cause her to function much less effectively in ACTION," it predicted. "While the letter sent by the [field office] was probably not the sole cause of this separation, it certainly contributed very strongly."

At much the same time, Saint Louis sent another letter to the wife of a leader of the Black Liberators, an organization loosely affiliated with the Student Nonviolent Coordinating Committee (SNCC). It was, according to the Bureau, "prepared from a penmanship, spelling style to imitate that of the average Black Liberator member" and was expressly intended to produce "ill-feeling and possibly a lasting distrust"

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between the target and his wife which, it was hoped, would "detract from his time spent in the . . . plans of his organization." It read:

> Sister C:
>
> Us Black Liberators are trained to respect Black women and special are wifes and girls. Brother C. keeps telling the Brothers this but he don't treat you that way. I only been in the organization 12 months but C been maken it here with Sister Marva Bass and Sister Tony and then he gives this jive bout their better in bed than you are and how he keeps you off his back by senden you a little dough ever now and then.
>
> He says he gotta send you money—the Draft Board gonna shuck him in the army somethen. This aint rite and were sayin that he is treatin you wrong—
>
> A Black Liberator

(Some years later, the head of the St. Louis office, in a speech to a church group, was to refer to his letter writers as "the ambassadors of God.")

Derogatory letters were often sent to employers or superiors in order to get activists fired or to inhibit their supporters. A note, ostensibly from "A Concerned Christian," was mailed to the bishop of an Episcopalian minister who had expressed support for the Black Panthers in Hartford, Conn., urging him to convey to the latter "our concern over his political philosophies. . . ." The bishop of a San Diego Catholic priest, who had let the Panthers use his church for a free breakfast program, received both anonymous letters and telephone calls demanding that this practice be stopped at once. Soon, the San Diego office was able to tell Washington that the cleric in question had been reassigned to "somewhere in the state of New Mexico [and] has now been completely neutralized." A corporate client of a New York attorney, known for his representation of what the Bureau characterized as "subversives," received a letter urging that it no longer engage the services of a "well-known Communist Party apologist," while a religious commentator on a Cincinnati TV station who had publicly praised a black nationalist leader was transferred after his superiors received an FBI-drafted protest letter.

The Bureau also approached the employers of contributors to the Black Panther Party. In January 1970, it sent a letter to two top executives of the Union Carbide Corp. after learning that a production manager in the company's San Diego division had made a small donation to the party. The letter, which centered around a threat not to purchase Union Carbide stock, stated in part:

> Dear Mr. [name deleted]:
>
> I am writing to you in regards to an employee in your San Diego operation, [name deleted]. . . .
>
> I am not generally considered a flag-waving exhibitionist, but I do regard myself as being a loyal American citizen. I, therefore, consider it absolutely ludicrous to invest in any corporation whose ranking employees support, assist, and encourage any organization which openly advocates the violent overthrow of our free enterprise system.
>
> It is because of my firm belief in this self-same free enterprise, capitalistic system that I feel morally obligated to bring this situation to your attention.
>
> Sincerely yours,
> T.F. Ellis
> Post Office Box ____.
> San Diego, California

The name "T.F. Ellis" was fictitious and there was no such Post Office box in San Diego.

To foment violence between the Panthers and Students for a Democratic Society (SDS), the Newark Field Office sent the following letter, purportedly from a member of SDS, to a Panther leader in New Jersey:

> To Former Comrade [name]:
>
> As one of those little bourgeois, 'snooty nose'—'little schoolboys'—'little sissies' Dave Hilliard [the Panther Chief of Staff] spoke of in the 'Guardian' of 8/16/69, I would like to say that you and the rest of you black racists can go to hell. I stood shoulder to shoulder with [a New Jersey Panther leader] last year in Military Park in Newark and got my ass whipped by a Newark pig all for the cause of the wineheads like you and the rest of the black pussycats that call themselves Panthers. Big deal; you have to have a three-hour educational session just to teach those motherfuckers (you all know what that means, don't you! It's the first word your handkerchief head mamma teaches you) how to spell it.
>
> Who the hell set you and the Panthers up as the vanguard of the revolutionary and disciplinary group? You can tell all those wineheads you associate with that you'll kick no one's ass, because you'd have to take a three year course in spelling to know what an ass is and three more years to be taught where it's located. . . .
>
> Oh, yes! We are not concerned over Hilliard's threats.
>
> Brains will win over brawn. The way the Panthers have retaliated against US [a Los Angeles-based black organization headed by Ron Karenga] is another indication. The score: US-6; Panthers-0.
>
> Why, I read an article in the Panther paper where a California Panther sat in his car and watched his friend get shot by Karenga's group and what did he do?

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He run back and write a full page story about how tough the Panthers are and what they're going to do. Ha Ha—Bull Shit.

Goodbye, [name] baby—and watch out. Karenga's coming.

"Right On" as they say.

In a chivalrous attempt to spare the field office stenographers the strong language in that letter, it was suggested that it be typed by outside personnel. In addition, Newark delicately employed asterisks in its correspondence with Washington to indicate "that colloquial phrase. . .which implies an unnatural physical relationship with a maternal parent."

The Bureau never missed a chance to create animosity between SDS and the Panthers. Sometimes it resorted to pure racism. One letter, ostensibly from a Panther named "Soul Brother Jake," to the editor of a radical newspaper, claimed that SDS had "finally showed their true color—White. They are just like the Commies and all the other white radical groups that suck up to the blacks and use us."

In a similar vein, a letter was mailed by the Detroit Field Office to area Black Panther and New Left leaders. Addressed to "Dear Brothers and Sisters," it read:

> Since when do us Blacks have to swallow the dictates of the honky SDS. Doing this only hinders the Party progress in gaining Black control over Black people. We've been fucked over by the white facist pigs and the Man's control over our destiny. We're sick and tired of being severely brutalized, denied our rights and treated like animals by the white pigs. We say to hell with SDS and its highly intellectual approaches which only perpetuate control of Black people by the honkies.
> . . .

The Bureau was always on the lookout for ways to cast suspicion on political activists. Learning that members were in doubt about the loyalty of the chairman of the New York BPP chapter because one of them had been arrested for illegal possession of weapons, the FBI sent anonymous letters to BPP state headquarters, to the wife of the arrested member and to a local member of CORE, stating: "Danger—Beware—Black Brothers, [name of target] is the fink who told the pigs that [arrested member] was carrying guns." For the convenience of anyone who might be considering retaliation against the chairman, his address was included.

The Newark Field Office, after arresting a BPP fugitive whose whereabouts had been learned from a phone tap, wrote in a "purposely somewhat illiterate type scrawl" to the latter's half-brother:

> Brother:
>
> Jimmie was sold out by Sister [the BPP leader who made the phone call picked up by the tap] for some pig money to pay her rent. When she don't get it that way she takes Panther money. How come her kid sells the paper in his school and no one bothers him. How come Tyler got busted up by the pigs and her kid didn't. How comes the FBI pig fascists knew where to bust Lonnie and Minnie way out where they were.
>
> —Think baby.

The Charlotte, N.C. office wrote in the name of "a lumpen brother" to a Black Panther lieutenant, accusing a Washington, D.C. leader of cooperating with the police. Some months earlier, the same office had asked Washington for permission to send a letter to the local Black Panther Party headquarters "which would indicate that the anonymous writer of the said letter overheard. . .a Black Panther Party member from New Hampshire indicate that he. . .was dissatisfied with his future assignment in Winston-Salem, N.C., and that the writer . . . believed that [he] would possibly end up working for a police agency in the future."

In the late summer of 1970, Black Panther Supreme Commander Huey P. Newton was released from the California Men's Colony, following the reversal of his manslaughter conviction. Hoover immediately authorized a letter to be sent from San Francisco to the Panthers' New York chapter. Ostensibly from a prison employee, it read:

> Brothers:
>
> I am employed by the State of California and have been close to Huey Newton, while he was in jail.
>
> Let me warn you that this pretty nigger may very well be working for pig Reagon. I don't know why he was set free but I am suspicious. I got this idea because he had privileges in jail like the trustees get. He had a lot of privacy most prisoners don't get. I don't think all his private meetings were for sex. I am suspicious of him.
>
> Don't tell Newton too much if he starts asking you questions—it may go right back to the pigs.
>
> Power to the People

When Angela Davis, whose name had been included in the Bureau's Top Ten list, was arrested in New York City on October 30, 1970, she was accompanied by one David Poindexter who was eventually charged with (and acquitted of) harboring her. The New York Field Office, claiming that it had been told by what it described as "a racial informant," that there were "rumblings" in Harlem and other black communities that Poindexter had "fingered" Ms. Davis, recommended to Hoover that anonymous letters be mailed to *Ebony* (postmarked Chicago) and *The Village Voice* (postmarked New York City). These communications would cast Newton as the "finger man." The Director approved the suggestion on the ground that the action "could have a disruptive effect on the black nationalist field and particularly between the Communist Party, USA-New Left Coalition and the Black Panther Party," but warned New York to "take the usual precautions to insure that action taken cannot be traced to the Bureau."

And the Bureau was forever trying to stir up trouble between black groups. In 1969, the Chicago Field Office sent an anonymous message to Jeff Fort, leader of the Blackstone Rangers, a local black group, advising him that "the brothers that run the Panthers blame you for blocking their thing and there's supposed to be a hit out for you." At the same time, Fred Hampton, chairman of the Illinois Black Panthers, received a note informing him that the Rangers were "looking for somebody to get you out of the way," and that Fort was "supposed to be interested."

A year later, the Los Angeles Field Office drafted a letter to be sent to Panther Chief of Staff David Hilliard from an unidentified "hit man." This commu ni-

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cation, which was to be accompanied by a card indicating that the writer was working for US, a rival black group, read as follows:

> Mr. David Hilliard:
>
> Although I sympathize with the Black Panther movement, at this point money is more important, and I have been offered money.
>
> I have an "unscheduled appointment" with your leader (?) Huey P. Newton and for $3,000 I will keep any appointment.
>
> I am writing to tell you that I admired your leadership, taking the Party from nothing to something and was disappointed when I read that Huey, a pigpen graduate and queer, now, as supreme commander, outranks you.
>
> I may contact you later to see if you have a better offer, if not then maybe your on his side and I can get the ante upped.
>
> Anyhow, I only hope that when I have my "meet" and believe me I will, that your not around or if you are, you won't get in my way. L.B., Los Angeles

However, before sending the letter to Hilliard, the FBI decided not to enclose the US card "so as to eliminate the possibility of the Bureau being placed in the position of aiding or initiating a murder." As one supervisor put it, there was always "an element of doubt" about "the risks inherent in this technique."

The Bureau's desire to make trouble between the leadership of the BPP and Eldridge Cleaver, then a fugitive in Algeria, spawned many anonymous communications. On November 14, 1968, Cleaver was sent a letter intimating that some members of the party were planning to kill him. Another, mailed a month or so earlier, had implied that he should have turned over money he had received for speaking engagements in New York to that city's BPP chapter.

In 1970, Timothy Leary, described by the Bureau as "an ardent advocate of LSD," escaped from prison in California and eventually sought refuge with Cleaver in Algeria. The San Francisco Field Office, aware that the Panther newspaper had recently published a series of articles condemning the use of drugs, recommended to Hoover that it "be allowed to forward the following anonymous letter to Huey Newton":

> Mr. Newton:
>
> Dope plus capitalism equals genocide.
>
> If that is true I can't believe that Eldridge Cleaver [is] playing footsie with Tim Leary. Leary is the greatest acid head and dope addict there is. I think Cleaver like any other Black Panther Party member should take orders from you before he starts associating with a drugger. Power to the People

The Director immediately approved the project.

In 1971, some New York Panthers, known colloquially as the Panther 21, were on trial for plotting to blow up a number of department stores and other buildings. Shortly before their acquittal, the New York office, at the urging of Hoover who believed that Newton was about to expel the 21, proposed that the following letter be sent to Cleaver:

> Brother Eldrige:
>
> We of the Panther twenty-one, in true revolutionary spirit, express our complete disbelief over our expulsion by Huey Newton. This action is very bewildering to us.
>
> As you are aware, we of the Panther twenty-one have always been loyal to the Party and continue to feel a close allegiance to you and the ideology of the Party which has been developed mainly through your efforts.
>
> * * *
>
> As the leading theoritician of the party's philosophy and as brother among brothers we ask you to plead our case with Minister Huey. We feel Huey's recent behavior is irrational and will only further factionalize an already disorganized party. . . .
>
> * * *
>
> The party continues to be our mentor. The Panther twenty-one will continue to be loyal. Expulsion cannot turn off a state of mind. You are our remaining hope in our struggle to fight oppression within and without the party.
>
> Your presence in Babylon would settle this whole MF situation.
>
> Again we ask your help to resolve this expulsion nonsense so that we can continue to relate to the people and the party.
>
> New York Panther Twenty-One

In concurring "generally" with the proposed draft, Hoover ordered that one of the paragraphs:

> should be changed to read "As the leading theoritician of the party's philosophy and as brother among brothers, we urge you to make your influence felt. We think that The Rage [a nickname for Cleaver] is the only person strong enough to pull this factionalized party back together."

He felt that these changes were necessary "since [the] purpose of the letter is not to cause Cleaver to plead or reason with Newton but rather to cause as much dissension as possible within BPP, particularly between Newton and Cleaver." New York was authorized to send the amended letter "24 hours after 'The Black Panther' newspaper reporting the expulsion of 'the New York 21' reaches the streets."

In early 1969, the Bureau received word that the Communist Party's Commission on Black Liberation had adopted a motion that the parent organization "accept the program of the Black Panther Party. . .work closely with the BPP, and join it." Worried that this proposal would be presented at the party's national convention, scheduled to begin in New York City on April 4, the New York office proposed that "an anonymous 'Irving' letter" be sent to key Jewish delegates, expressing "alarm at this because of the extreme anti-Semitism of the BPP." The FBI had in the past employed the fictitious "Irving," ostensibly a disgruntled Jewish member of the Communist Party, to send letters in "dialect" to various publications that could be counted on to carry articles "embarrassing and injurious to the CPUSA."

Hoover immediately wired: "Permission is granted New York to prepare the anonymous 'Irving' letter. . . . New York should insure that the mailing of the letter is made from a location commensurate with past 'Irving' mailings. New York must insure that this activity will not result in any embarrassment to the Bureau." The letter, to be written on commercial stationery and prepared on a manual typewriter, was to point out that "the BPP is viciously anti-Semitic and adheres to the

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principles propounded by the Chinese Communists as contrasted to the Russians."

New York was active on many other fronts. Shortly before recommending the sending of the "Irving" letter, it had embarked on a series of what it termed "pretext phone calls to various organizations in order to foster hostility between them. . . ." For example, the local Black Panther chapter was "pretexted" that members of SNCC were going to dynamite its office. The success of that operation can be seen in the fact that the agent making the call was informed by the Panther to whom he spoke that "SNCC. . .was going to get a hot reception as the BPP had two live snakes in the basement."

A few months earlier, the office had begun a campaign to discredit Abbie Hoffman and Jerry Rubin and to cause a split between them. One device was a derogatory flier "designed to ridicule" Hoffman. Another was a leaflet to be mailed to "celebrated New Left activists designed to broaden the gap between. . . Hoffman and. . .Rubin, co-founders of the Youth International Party (Yippies), hopefully to split this scurrilous and completely unprincipled organization." The leaflet, to be written "in the jargon of the New Left which necessitates the use of obscenities to make the document authentic," would imply "that Hoffman is using Rubin. . .for his own personal gain."

The Church Committee expressly found that the FBI had often interfered in judicial proceedings involving political activists. Terming this practice "particularly disturbing because [it] violate[s] a fundamental principle of our system of government," it pointed out that "when a target appeared before a judge, a jury, or probation board, he sometimes carried an unknown burden—the Bureau had gotten there first." While there is, as yet, no hard evidence that anonymous letters were used for this purpose, one highly suspicious set of circumstances suggests that they probably were.

During the 1969-70 Chicago Conspiracy Trial, a letter saying "We are watching you" and signed "the Black Panthers" was sent to the home of a young woman who was the only member of the jury under 30. Although the note had been intercepted by her parents before she could read it, it was exhibited to her by Judge Julius J. Hoffman, following which she stated that she was afraid to remain on the panel. She was immediately replaced by the first alternate who, it later turned out, was the fiancee of one of Mayor Daley's political henchmen. A request by the defense for a full investigation of any FBI involvement was denied by Hoffman, but some self-conscious references to the incident in recently obtained FBI documents indicate that it might have proved eminently fruitful.

From at least mid-1961, the bureau began to take a more than lively interest in Puerto Rican politics. In a memorandum to Hoover on June 1, 1960, the San Juan office pointed out that some 25,000 votes had been cast the previous November by those who desired independence for the island. "[While] this number is insignificant when it is compared to the 800,000 votes cast during the election," it warned, "we know from experience that mere numbers are not sufficient to determine the dangerousness of an organization or movement which desires to change an established form of government through other than peaceful means." Citing Castro's successful Cuban Revolution as a pertinent example, the office recommended that a full-scale counterintelligence program be initiated at once, including the sending of anonymous letters.

One example of the latter was prompted by the refusal on April 19, 1967, of the United Nations to take up the colonial status of Puerto Rico. Two weeks later, Hoover informed San Juan that this defeat for the island's pro-independence forces offered "an excellent opportunity. . .to discredit the leaders of the independence movement and particularly Juan Mari Bras [the secretary-general of MPIPR, the Movement for the Independence of Puerto Rico]." He ordered that "handwritten anonymous letters in Spanish" blaming Bras and other MPIPR leaders for the United Nations setback, be sent to other pro-independence groups. Shortly after one was mailed, he informed San Juan that "[I]t is believed that the anonymous letter is serving the purpose for which it was intended, i.e., to confuse the independentist leaders, exploit groups' rivalries and jealousies, enflame personality conflicts, emasculate the already limited strength of these groups and to thwart any prospects of pro-independence unity."

Three years earlier, an anonymous communication impugning the integrity of Bras and other MPIPR leaders had caused untold disruption to the organization. On May 2, 1964, San Juan informed the Director that "Mari Bras's heart attack on April 21, 1964, was obviously brought on by strain and overwork and . . . . the anonymous letter certainly did nothing to ease his tensions for he felt the effects of the letter deeply. . . ." The office went on to gloat that "[I]t is clear. . .that our anonymous letter has seriously disrupted the MPIPR ranks and created a climate of distrust and dissension from which it will take them some time to recover." It recommended that, in view of the outstanding success of this technique, "we shall be on the lookout to further exploit our achievements in this field."

In early 1969, the Bureau concocted an "Open Letter to the Puerto Rican People" which was sent to the Associated Press and the island's three leading newspapers. This unsigned communication, which referred to Bras as a "traitor," declared that its authors "will not be inactive while some pigs, as are the leaders of. . . MPIPR, corrupt and destroy the foundation of this democratic society and the peace and freedom which exist here." The purpose of the letter, as explained by San Juan, was "to exploit the bombing of a vehicle of Juan Mari Bras on 1/7/69. . . ."

A favorite tactic in Puerto Rico was to plant suspicion that the Communists were taking over the independence struggle. In late 1967, for instance, San Juan sent Hoover the draft of a proposed letter, to be translated into "idiomatic Spanish," and mailed to "selected MPIPR members in Puerto Rico and New York City." It suggested that "Fidel somehow, perhaps by means of blackmail, [has] convinced our leaders that the victory for independence in Puerto Rico must be a Communist victory."

However, Hoover reserved his dirtiest tricks for Martin Luther King, Jr. As the Church Committee re-

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port put it, "[F]rom December 1963 until his death in 1968, Martin Luther King, Jr. was a target of an intensive campaign by the Federal Bureau of Investigation to 'neutralize' him as an effective civil rights leader." Referring to the Atlanta minister as "the most dangerous and effective Negro leader in the country," the Director authorized his subordinates to engage in any activities, no matter how contemptible or illegal, which would serve to discredit him both in the United States and abroad.

Among other things, the Bureau attempted to influence universities to withhold honorary degrees from Dr. King and to halt the publication of articles favorable to him. A concerted effort was made to prevent the Pope from meeting with him in 1964 by sending an agent to persuade New York's Francis Cardinal Spellman to warn the Pontiff about "the likely embarrassment that may result to the Pope should he grant King an audience." What Senator Church referred to as a "vicious characterization of Dr. King...a personal diatribe...a personal attack without evidentiary support . . ." was circulated among religious organizations, Congressional offices, labor unions, foundations and the press, designed "to discredit and destroy" him.

On October 4, 1963, then Atty. Gen. Robert F. Kennedy approved an FBI request for permission to install wiretaps on telephones in Dr. King's home and his New York and Atlanta offices. Three months later, the FBI decided to expand its illegal electronic coverage to include the hotel rooms in which he stayed during his frequent trips around the country. As a result, it amassed what it frequently referred to as the "King bedroom tapes," selected portions of which Hoover distributed to various Congressional offices as well as to the White House itself.

When Dr. King was nominated for the Nobel Peace Prize in 1964, Hoover directed that a "composite... sterilized" bedroom tape be sent to his wife from a Southern state in order to precipitate the couple's separation. Accordingly, a "tight-lipped...reliable" agent flew with a package containing the composite tape to Miami on November 21, 1964, but, upon his arrival, was ordered to mail it to Dr. King himself. He did so from a post office near the Miami airport.

In the package was a startling, anonymous communication, intimating that the tape would be released in thirty-four days unless Dr. King did "the only thing left for [him] to do." The letter stated in part:

> King, look into your heart. You know you are a complete fraud and a greater liability to all of us Negroes. White people in this country have enough frauds of their own but I am sure they don't have one at this time that is anywhere near your equal. You are no clergyman and you know it. I repeat that you are a colossal fraud and an evil, vicious one at that. . . .
>
> King, like all frauds your end is approaching. You could have been our greatest leader. . . .But you are done. Your "honorary" degrees, your Nobel Prize (what a grim farce) and other awards will not save you. King, I repeat, you are done. . . .
>
> The American public, the church organizations that have been helping—Protestants, Catholics and Jews will know you for what you are—an evil beast. So will others who have backed you. You are done.
>
> King, there is only one thing left for you to do. You know what it is. You have just 34 days in which to do [it] (this exact number has been selected for a specific reason, it has definite practical significance). You are done. There is but one way out for you. You better take it before your filthy fraudulent self is bared to nation. . . .

King was to receive the Nobel Prize on the thirty-fourth day, so he and his aides interpreted the letter as an open invitation to commit suicide before that event. Years later, U.N. Ambassador Andrew Young, who had once served as King's executive assistant, described for the Church Committee the "great personal suffering" that this and other COINTELPRO tactics had caused the black leader.

The "suicide" letter was perhaps the most scurrilous of the hundreds, if not thousands, of fictitious letters drafted and sent by the Bureau for more than a decade. In commenting on this and other FBI techniques, the Church Committee, in its final report, stated:

> COINTELPRO began in 1956, in part because of frustration with the Supreme Court rulings limiting the Government's power to proceed overtly against dissident groups; it ended in 1971 with the threat of public exposure. In the intervening 15 years, the Bureau conducted a sophisticated vigilante* operation aimed squarely at preventing the exercise of First Amendment rights of speech and association, on the theory that preventing the growth of dangerous groups and the propagation of dangerous ideas would protect the national security and deter violence.
>
> Many of the techniques used would be intolerable in a democratic society even if all of the targets had been involved in violent activity, but COINTELPRO went far beyond that. The unexpressed major premise of the programs was that a law enforcement agency has the duty to do whatever is necessary to combat perceived threats to the existing social and political order.
>
> * * *
>
> The American people need to be assured that never again will an agency of the government be permitted to conduct a secret war against those citizens it considers threats to the established order.

Although the Church Committee accepted the FBI's assurances that COINTELPRO had officially ended in 1971, it did so with a grain of salt. Concluding that "the principle has not been rejected," it pointed out that:

> Aggressive investigation continues, and may be even more disruptive than overt action. An anonymous letter . . .can be ignored as the work of a crank; an overt approach by the Bureau. . . is not so easily dismissed. The line between information collection and harassment can be extremely thin.

But there is some evidence that the anonymous letter-writing campaign may be far from over in certain areas. Just months ago, a person considered by the FBI to be an organized crime chieftain received a mysterious unsigned letter. Typewritten on plain paper, it read:

> You've got [a nickname for an associate] close to you. He's too smart for you and he'll kill you and your son.

Perhaps it is only a matter of time before the agency's poison-pen specialists resume their spirited defense of "the established order." □

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BOOKS & THE ARTS.

Czeslaw Milosz: The Poetry Of Aftermath

TERRENCE DES PRES

After half a century of war, after the Holocaust and the spread of terror as a means of government, there is increasingly among us a kind of writer for whom life and art cannot be held separate, neither in conduct nor in judgment, and not for reasons narrowly personal but because in situations directly political, existence and expression become conditions of each other.

Solzhenitsyn is an example. But so too, in his quieter way, is Czeslaw Milosz, the Polish poet and man of letters who since 1951 has lived in the United States, and who has just received the 1978 Neustadt International Prize for Literature. In exile from a world which no longer exists (he was born in Lithuania in 1911), a witness to the Nazi devastation of Poland and the Soviet takeover of Eastern Europe, Milosz deals in his poetry with the central issues of our time—the impact of history upon moral being, the search for ways to survive spiritual ruin in a ruined world.

His earlier work, collected in the *Selected Poems* of 1973, is foremost a poetry of loss and aftermath. The new volume, *Bells in Winter*, gives us a poetry of recovery. Milosz's work as a whole, that is to say, shows a development splendid in itself and crucial to us all. But what needs remarking first is simply the effect, for American readers, of Milosz's *kind* of poetry. In his "Ars Poetica?," for example, the question mark in the title alerts us to the poem's theme: that although no aesthetic principle is absolute or safe from abuse, some notions of poetic practice are better, more responsible, less dangerous, than others, especially in times as mad and unholy as ours. The poet should be careful of his power, which is greater than himself. Art should serve more than itself, and in an age of wreckage, with nations dispersed and loyalties divided, "The purpose of poetry is to remind us / how difficult it is to remain just one person." Milosz thus abjures modernism and pledges himself to values of "a time when only wise books were read / helping us to bear our pain and misery."

Such serious and demanding claims, for those schooled on modern poetry in America, will sound old-fashioned and out of literary place, especially when measured against our own "Ars Poetica," which praises poems "dumb" and "silent," and advocates the idea that "A poem should not mean / But be." Between poetry and life no commerce is expected, a rule recently amplified by a famous scholar-critic who declares that "the meaning of a poem can only be another poem," and that "solipsism" is chief among poetic virtues. By solipsism is meant the poet's resistance to everything outside the self—events, other selves, life as we live it—all of which counts for no more than the metaphor it can be made to yield.

Works by Czeslaw Milosz:

Poetry in translation: *Bells in Winter*, Ecco Press, 1978; *Selected Poems*, Seabury Press, 1973. Autobiographical prose in translation: *The Captive Mind*, Knopf, 1953, Vintage, 1955; *Native Realm: A Search for Self Definition*, Doubleday, 1968. For a complete bibliography of Milosz's work, see the Summer 1978 issue of *World Literature Today*, Volume 52, No. 3.

Such formulas are more representative than they at first appear. In the main, American poetry does ignore history, and even for a poet as obsessed with events as Robert Lowell, the world's agony is but mirror and emblem of his own internal torment. From Emerson and Dickinson onward, American poetry celebrates perception for perception's sake, it focuses on the interior drama of wholly isolated selfhood, it posits its destiny in solely individual terms. For a poet like Milosz, who saw Warsaw leveled and was among the handful to survive his generation's murder, such attitudes must not only sound out of place but out of the world altogether.

People, places, things, everything for Milosz is densely historical, and destiny is shared, it is *human* destiny. The value of experience depends on connection, or failure of connection, with others; and our humanity remains tragically tied to the inhumanity we resist or, when overcome, simply endure. Memories of atrocity and betrayal forever haunt his poetry, a way of seeing things which, in his brilliant book *The Captive Mind*, he calls "the vision of the cobblestones":

> A man is lying under machine-gun fire on a street in an embattled city. He looks at the pavement and sees a very amusing sight: the cobblestones are standing upright like the quills of a porcupine. The bullets hitting against their edges displace and tilt them. Such moments in the consciousness of a man *judge* all poets and philosophers.

In this way, at least, Milosz would judge his own work. Death in itself is not the measure but rather the manipulation of death for dehumanizing purposes and what this does to human beings, as when those bullets, those machine-guns spraying random streets, make men and women crawl. At such moments, the innocence with which poetry would celebrate the world is lost, the poet is stopped by ugliness too fierce for song to bear:

> The first movement is singing,
> A free voice, filling mountains and valleys.
> The first movement is joy,
> But it is taken away.

And yet the poetic will does not die. I know of no poet more driven to celebration, to sing of the earth in its plainness and glory, and therefore no poet more tormented ("We, whose cunning is not unlike despair") by the terrible detour through history which must be taken if, in pursuit of joyous song, the authority of poetic affirmation is not to remain untested or open to the charge of ignorance. But after witnessing the liquidation of the Warsaw Ghetto, after the Soviet betrayal of the Polish uprising, after the protracted misery of the Baltic resettlement, the will to praise life meets hard objections. What is left to nourish and uphold? Where is joy to take root? Above all, as Milosz repeatedly says in the *Selected Poems*, how can we live with ourselves after the awful revelations of our own time:

> We learned so much, this you know well:
> how, gradually, what could not be taken away
> is taken. People, countrysides.
> And the heart does not die when one thinks it should.
> we smile, there is tea and bread on the table.

The pain of memory is compounded by the anguish of self-revelation, as if one's failure to embrace "the poor ashes of Sachsenhausen / with absolute love" were a terminal diminishment, a deformation of spirit severe enough to cancel our right to praise, our right to find life good. The burden of aftermath, for those who must bear it, would seem to be final.

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And yet it is not. "You could scream / Because mankind is mad. / But you, of all people, should not." Thus the poet's responsibility is defined in *Bells in Winter*: to behold "not out of sorrow, but in wonder." In a short poem called "Proof," Milosz writes: "You remember, therefore you have no doubt: there is a Hell for certain." But in a companion poem called "Amazement," he finds that the wholeness of the world is greater than its horror, that everything, not excluding "hue of fir, white frost, dances of cranes," goes on simultaneously and, as he concludes, that earth's plenitude is "probably eternal." The truth of a truism is thus revived by earning it anew, a procedure typical of Milosz, as is his use of "probably": hope is real but abridged, faith remains open to question.

On first reading, many of the shorter poems in *Bells in Winter* seem slight. But let us not misread: these are poems of settlement, of provisional detente with the past, and as such they are poems rooted in history, in a context of atrocity from which—if only for the poem's duration—they manage to pull free. A deceptively simple poem entitled "An Hour" serves both as illustration and as comment:

> Leaves glowing in the sun, zealous
> hum of bumble bees,
> From afar, from somewhere beyond
> the river, echoes of lingering
> voices
> And the unhurried sounds of a
> hammer gave joy not only to me.
> Before the five senses were opened,
> and earlier than any beginning
> They waited, ready, for all those who
> would call themselves mortals,
> So that they might praise, as I do,
> life, that is, happiness.

What memory, itself afar, lingering, unhurried, do the first three lines preserve? With whom—a lover, a land, all of us—is joy shared? Memories, the senses, life's endless small splendors—who is "T...y"? This is surely more than exercise in pastoral. To equate life with happiness *and mean it* is an astonishing victory in our brute century. To recover rapport with existence "earlier than any beginning" is to regain that which was taken away: the first movement, joy. And the title, I think, cannot be read as irony. These moments come seldom and do not last, yet without them we are indeed lost.

Slight as it appears, such a poem argues the complexity of poetic endeavor in a world such as ours. And it argues something else also, a principle central to the kind of poetry Milosz writes: to grasp this art in its fullness, it cannot be separated from the world, it cannot be detached from the circumstance of its birth. In the case of poets like Milosz, literary fulfillment depends on extra-literary consciousness, on knowing the historical situation to which the poem implicitly responds, which is a kind of awareness the poem then incorporates back into itself. This is not a case of the famous "hermeneutic circle," wherein poems grow in meaning by virtue of the interpretations they can be made to bear. Rather, we are dealing with origins and context, a case of knowing where the poem came from, out of what wreckage, defeat, aftermath. This way of reading poems is not congenial to Americans but it is indispensable to much of the best poetry now coming out of other traditions, South American and Eastern European in particular.

The one poem which does speak of its place in the world, "From the Rising of the Sun," is also Milosz's most ambitious and perhaps his greatest work. It fills nearly half the pages of *Bells of Winter*, and as a poem not only about its own becoming but of Milosz's development as a whole, it takes for the title of its culminating section the title of the book itself. Replete with historical detail, this is nevertheless the most personal poem Milosz has written. It is nothing less than the poet's attempt to pull together the fragments of his abnormally scattered life, to see himself whole, from his childhood in Lithuania, through his years as witness and exile, up to the present time—from a journey begun "one acrid morning, looking through the fences at gardens/And courtyards, where a black dog barks, and someone chops wood," to that journey's unlikely destination:

> In the morning we were cutting logs
> with a chain saw.
> And it is a strong, fierce dwarf,
> crackling and rushing in the
> smell of combustion.
> Below, the bay, the playful sun,
> And the towers of San Francisco
> seen through rusty fog.

Descriptions of cities, events, and persons central to his life are juxtaposed with meditations upon the historical significance of his experience, its representative character, its possible value within a realm transcendent and timeless. More than a little, this vast undertaking resembles T.S. Eliot's "Four Quartets," but with one crucial difference: where Eliot saw the world in terms of his own spiritual predicament, Milosz sees *his* life in terms of the world—a reversal which in his autobiographical book, *Native Realm*, he sums up this way: "Instead of thrusting the individual into the foreground, one can focus attention on the background, looking upon oneself as a sociological phenomenon. Inner experience, as it is preserved in the memory, will then be evaluated in the perspective of the changes one's milieu has undergone."

And yet the aim of both Milosz and Eliot is identical: to go back and work through the detritus of one's own time on earth, to gather up the worst along with the best, integrate past and present into a culminating moment which transcends both, which embraces pain and joy together, the whole of a life and a world redeemed through memory and art, a final restoration in spirit of that which in historical fact has been forever lost. And when Milosz says, in the poem's last line, "I was judged for my despair because I was unable to understand this," we see how very far he has come.

More than any modern poet I know (and admitting that plenty of poets handle language with more precious craft), Milosz has earned, through his work, a solution to the most pressing spiritual dilemma today: how to bear the burden of historical consciousness without despair. Morally, we must say No to life as it is, because terror and injustice are everywhere apparent and no one is immune or exempt. But just as much, we must say Yes to life as it is, because it *is*, because we cannot live without some affirmation of our own existence.

From the perspective of political responsibility, morality and mysticism clash fatally, or so I thought until I began to see what Milosz was struggling toward and what he has at last made good. The air is thick with horror and no one remains untouched. The air is thick

I COULD WALK WIDELY

Silence makes wide spaces and I could walk
widely upon the spaces that silence makes.

I could look this way or that, touch the air
on either side, my arms reaching as widely.

The uttermost spaces of silence I could fill
with all my body winging on tiptoe.

Only after many obediences should I dare
undo that space with the quietest of sounds.

Etta Blum

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like "A Revolution in Taste." We recall other books about modern poetry with other such titles, high-powered books, books that reminded us of how much we haven't read, how we've let the new critical vocabularies get away from us ("kenosis"? "clinamen"?), of how much better we could manage if we were more up-to-date, or smarter, or had been educated somewhere else. It wasn't until I began to relax into Louis Simpson's new book that I realized I had come to it armored, and that there was no need.

Simpson has been publishing poetry since 1940, in the best places. He teaches at Stony Brook, and not Creative Writing, either; in addition to his Pulitzer Prize for poetry, he has a book on James Hogg and another on Pound, Eliot and Williams. A sophisticated fellow; the backbone stiffens in preparation. We can expect another hard book, and we'll do our best to rise to the occasion.

The first words seem deceptively simple: "The aim of writing is to convey a feeling." We have to read farther before we realize that we can take their simplicity at face value. It isn't going to be a hard book. He isn't going to be sophisticated. He doesn't even want to be sophisticated. He would rather be candid and sincere—a word he happens to be able to use without irony. He likes Whitman, "the greatest of American poets," and lets us know at once.

Critics, like poets, are human, and their likes and dislikes are important. He doesn't like Stevens; he finds his later work "impenetrable, a slippery, meaningless surface of words," and suspects other people do too. Words are realities, but they should point to things, not to themselves. Poetry should be, in the familiar formulations, "an imitation of life," "a criticism of life." For although Simpson makes clear at once that the revolution of his title is a revolt against the academic tradition of the New Criticism, he is his own kind of traditionalist. He is not out to be original but to rehabilitate ideas he thinks important, and forgotten, and true.

The New Critics, of course, were human too, with their own likes and dislikes. They liked irony, ambiguity, "the qualities in verse which lent themselves to explication," to what Simpson calls "excruciating the text." When the poem didn't fit their critical tools "they kept the tools and threw away the poem." T.S. Eliot had called art an escape from personality; the New Critics imposed that idea on a generation. Brooks and Warren's influential freshman text, *Understanding Poetry*, contained six poems by Donne and not one by Whitman. "The function of the critic was to 'explicate' the text and not to be distracted by the author's life or intention (the intentional fallacy)...or the effect it had on the reader's emotions (the affective fallacy)."

But the New Critics were wrong; "the life of verse originates in feeling." Dylan Thomas, Allen Ginsberg, Sylvia Plath and Robert Lowell may not seem to make a particularly congenial foursome. It is no web of ideas or influences, however, that brings them together but the fact—crucial for Simpson—that they "created art out of the confusion of their own lives." Thus he begins with Thomas, whose achievement, as much the result of his bardic readings as of his own poetry, was to cross the sea and remind us that poetry is "passionate speech" which "proceeds from the life of an individual."

So Simpson's discussion of these poets' poetry will be a discussion of their lives, messy, painful, funny—the necessary, intimate, sustaining muck from which the poems rose. It's a nice, short, interesting book, less than 200 pages, including notes, bibliography, and index. Simpson will not tax us with explication (though he gives a close reading of Plath's difficult "The Bee Keeper," not to show he can do it, which let nobody doubt, but to explore something important about Plath). He's read the hard stuff, the criticism; he quotes a lot of it, and his notes and bibliographies are extensive and useful. But more important, he's read memoirs, letters, and interviews. He knew Allen Ginsberg at Columbia, and Thomas once belched in his face. Above all, he believes in Lives of the Poets, and that it is necessary to bring into the center of the critical enterprise a full consideration of the human being.

So far, so good. But there is more. Simpson sketches a kind of heroic history of postwar American poetry, in which Thomas and Ginsberg, representing a tradition of vitality which, for reasons not entirely clear, he associates with Imagism, reasserted passion and the authenticity of personality against the "literary," "formalistic" verse brought over by Auden. This is what constituted a "Revolution in Taste."

Auden masqueraded as a rebel, but in this respect he was "a mainstay of tradition."

> English writers use poetry as a means of discourse; they are conscious of the weight of the past and their place in a literary tradition. Americans believe, as Wallace Stevens put it, that "poetry is not a literary activity, it is a vital activity."

Under Auden's baleful influence, "the stream of experiment that had begun with the Imagist poets, and of which William Carlos Williams was the chief exponent, receded into the background." Verbal elegance, in prose or poetry, is not a first priority with Simpson. "Auden ruled with wit and a knowledge of verse forms," imposing an alien tradition upon the hapless Americans, who in contrast appeared as "fumbling provincials." Good guys and bad guys are locked in combat. The good guys write free verse and have feelings; the bad guys write in rhymes and meters, and (apparently) don't. If you had thought form beleaguered and rhyme an endangered species, think again. In the 1950s, rhymed stanzas carried everything their way.

> The admired poets...were Robert Lowell, Richard Wilbur, and most of all, Auden. They stood for poetry written in traditional forms and in a language removed from actual speech. There were a dozen younger poets who agreed with them in principle.

In the treatment of Lowell, the outlines of Simpson's legendary history emerge most clearly. He's able to do some admiring, but not much liking: "from [Lowell's] poems most of mankind is absent, and this is to be expected, for what could he have known of the lives of the poor, the unlucky, the obscure?" *Lord Weary's Castle* is clotted and formal, though "memorable for its energetic language and strong rhythms." By 1951, in *The Mills of the Kavanaughs*, Lowell is moving in the right direction, away from literature and toward life. He is "trying to re-create experience," as a writer should. But to no avail; the effect is destroyed by the form and language in which he writes. "Anne Kavanaugh is thinking, and we hear her thoughts, but she thinks in rhyme and in the twentieth century we find it impossible to believe that anyone thinks this way."

"The fault was common at the time," writes Simpson magisterially; "poets imitated the forms of the past." But out West things were happening, though the academy didn't know it; a nucleus of poets was preparing a liberation from these un-American trammels. Allen Ginsberg had left New York and was readying himself to write "Howl." When he read it for the first time, in San Francisco, in the fall of 1955, it "caused a sensation"; the audience responded as they had to Thomas, with passionate identification.

The revolution was under way. Lowell went on a trip to California, heard the

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with horror and some part of the soul must stay inviolate or the core of human worth will perish. These two positions are mediated through the kind of poetry Milosz gives us, which I would now call "political" in the extended sense just described, to distinguish it from the kind of poetry which proceeds, after Auschwitz, after Hiroshima, as if between the world-in-the-self and the self-in-the-world there were no tie or common ground.

I began by contrasting Milosz's example with the Emersonian tradition in American poetry. The point is that Milosz is not alone in the kind of poetry he writes, and that the poets with whom he belongs have begun to challenge, simply by the pressure of their example, the dominion of American standards. The Polish poets Zbigniew Herbert and Tadeusz Rozewicz are as powerful as Milosz. Elsewhere from the East, poets like Anna Akhmatova, Nazim Hikmet, Vasko Popa and Yannis Ritsos (respectively Russian, Turkish, Yugoslav, Greek) have produced work impossible to ignore. The same may be said of South American poets, Pablo Neruda, Nicanor Parra and Cesar Vallejo to name only a few. And on the whole, the humanity of this kind of poetry is enhanced (rather than weakened, as is usually argued) by its fund of historical sense. Rooted in direct response to political pressure, which is to say in despair and resistance, in ruin and recovery, this kind of literature yields a new aesthetics, principles which in Milosz's case I have described as a poetics of aftermath. And apart from the inherent grandeur of the achievement itself, what most excites me is its possible influence upon the narrowing relevance—Rich, Kinnell, Simic, Levertov, Forche, Hecht are among the exceptions—of poetry written in America now.

This is less the coming of a crisis than arrival at a crossroads. For the first time in our literary history (the French connection does not count because it was imported), poetic practices governed by the forces of a single strong tradition have begun to clash with an exceedingly rich confluence of other traditions, a collision energized by the accelerating impact of history, the intense brutality of daily events, upon consciousness itself. I am not saying that we must take up arms and join the underground as Milosz did, or like him that we must endure the plunder and dispersal of our nation, suffer exile and historical shame, before a poetry worth writing can emerge. The point is not direct participation but the confrontation, assessment, and assimilation of events in their aftermath, in their imprint upon reality, in their demonic persuasiveness—which is simply a matter of knowing, of our rapidly increasing and ever more immediate *knowledge* concerning goings-on in a world which, partial to no people in its blind delivery of consequence, is *ours*. We know too much, we are assaulted daily by information about too many events at large. As Wordsworth said, himself in desperate grips with aftermath, the world is too much with us.

Until recently, the domain of self, the egotistical sublime, has taken primacy over external events in American consciousness. But that was the happy accident of our own historical origins on a virgin continent which cost no more than minor (by world standards) genocide, and which, until the age of the rocket, world markets and oil, was protected in its chastity by poor communications and pure distance. The war in Asia broke our claim to innocence, and our cherished myths of the New Adam and Worlds Elsewhere have fallen into fast decay. History is the self's other half, its boundary and nemesis, a foundation fearful, unstable yet essential, without which the poet sings thinly and cannot claim the authority, nor confer the solace, we rightfully expect from the art which is our first vehicle of human communion.

If American poetry does indeed stand at this crossroads, then some revision seems imminent: no longer the word over the world, nor the world over the word either, but a union of the two, not to be got without risk, but surely worth attempting. The virtue of Czeslaw Milosz, quite apart from his worldly intelligence, his will to stay sane amid madness, his modest steady voice—apart from these his virtue resides in his example. (©1978 Terrence Des Pres)□

The Convert's Fervor

CLARA CLAIBORNE PARK

A REVOLUTION IN TASTE: Studies of Dylan Thomas, Allen Ginsberg, Sylvia Plath and Robert Lowell. *By Louis Simpson. Macmillan. 198 pp. $12.95.*

"Words are realities," writes Louis Simpson in his most recent book of poems (*Searching for the Ox*, Morrow, 1976). "They have the power/To make us feel and see." Which, of course, is true; consider the power of titles. We've gotten edgy about words

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San Franciso poets reading aloud, began to simplify, to make his style more like ordinary speech, "conversational, intimate, open." By 1959, the verse of *Life Studies* had become "more or less free"; lines of varying length, irregular meter, absent or unobtrusive rhyme marked growth and progress. But all victories are precarious; *For the Union Dead*, though "still a poetry of feeling," was already slipping back toward rhyme and meter. The 1970s would see Lowell lapse into "a new formalism," mere " 'accomplished' verse—a language that has long been dead for poets in the United States, though it is still being written in England."

Form, in short, is political. It lines us up, white hats against black. Just as Whitman's free lines "went hand in hand with democracy," the form of Lowell's *Near the Ocean* in 1967 already anticipated the revived conformity of the 1970s.

> The form of this poetry is the message: iambic tetrameter, rhymed—we are in for a period of conservative reaction. . .The rhymes tell us that the sixties and their hope of freedom are at an end.

The trouble with this, of course, is that rhyme and stanzas have nothing to do with politics or personalism or passion, in England or anywhere else, unless you decide they must—in which case your argument is circular. Pound was reactionary in free verse; Auden was socialist in rhyme. Yeats's rhymes came "lock, stock, and barrel/Out of his bitter soul"; his Crazy Jane cries out in iambic tetrameter. Is the possibility of rhymed passion a function of time and space, conceded to Yeats because he wasn't American and was born a long time ago?

But each new reader, fortunately, comes into the world ahistorical and innocent of literary polemics. In the freshman anthology, Yeats exists in the same eternal present as the violence of "Batter my heart, three-personed God, for You/As yet but knock; breathe, shine, and seek to mend" (iambic pentameter), or the objectivity of "So much depends/upon/a red wheel/barrow" (free verse)—which may well be on the facing page. Readers will hardly conclude that free verse goes with passion, or that form inhibits feeling, unless somebody comes along to tell them so.

The body of English poetry exists to show us that it is possible to feel and think in rhyme. In America, the case can rest with Emily Dickinson and Frost, without stirring up a hornet's nest by mentioning Richard Wilbur or James Merrill. Or Snodgrass, whom Simpson himself can't fit into his lineup, a poet of "direct personal utterance" (as Simpson has written elsewhere) who wrote "poems that expressed the miseries of postwar America" in "expert stanzas" and who, like Ginsberg and Gary Snyder, replaced "irony by sincerity." It takes only one such exception to invalidate the argument.

Argument? But who's arguing? Certainly not Simpson. The very form of the book, casual, impressionistic, proclaims that. He's saying what he thinks. "The aim in writing is to convey a feeling"; Simpson does not intend his own book to escape from his controlling generalization. What appears here as argument is an artifact of summary. Simpson's relaxed paragraphs are not argument or exposition, but narrative:

> In the spring of 1945 Ginsberg's windows in Livingston [his Columbia dormitory] were very dirty. In order to encourage the chambermaid to wash them he drew obscene pictures in the dirt and wrote "Nicholas Murray Butler has no balls" and "Fuck the Jews." The maid reported this to her superiors, and an investigation revealed something more. . .[elision Simpson's] Kerouac asleep in Gins-

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berg's room, in spite of his having been warned to stay off campus.

If you want to know what happened then, complete with dialogue, you'll have to read the book. Simpson knew Ginsberg's New York, and this chapter is the best in the book, not quite criticism, or biography, or gossip but a deliberate amalgam, skillfully confected by a man who takes his casualness seriously as the natural and proper way of saying what he needs to say.

The book is a fruitcake; the literary judgments are the cakey substrate between the nuts and raisins. These have been put in with a generous hand, for it is they, in their kinky, personal specificity, which are the basic material of the life of poets, and so of poetry. Of criticism too. For there's a final twist. For all Simpson's simplicity and candor, there's something he's not saying, at least not here: that this is his own poetic evolution he's describing; that he too was a postwar formalist, an English-educated tetrameter-expert now liberated into speaking true. There is no fervor like a convert's. And since (to quote one of those reserved, uptight Englishmen) "the personal is all that matters," it's a pleasure to read so personal a book, which, by an irony a New Critic would delight in, withholds its author's own stake in his evaluation of the events he is describing, and leaves us to discover that it is even more personal than it seems. □

THEATRE

HAROLD CLURMAN

Barrie Keeffe's *Gimme Shelter* is the first production (for a limited engagement) by the "Dodger Theatre," a new association at the Brooklyn Academy of Music. The play, a trilogy, seems at the outset a loose assemblage of one-act plays, but in the final segment it comes together and makes a statement.

Though well acted by a cast of eight—especially by Keith Gordon and Richard Backus—it is a work that I considered not covering, lest my review strike regular readers as a postscript to several earlier notices of recent English plays. This would hardly have been fair, because Barrie Keeffe is still in his early 30s (*Gimme Shelter* was first staged three years ago, in "club" circumstances), and only last year achieved a production at London's (subsidized) Royal Court Theatre. He was also commissioned to write a play for the National Theatre itself. In short, Keeffe is a newcomer whose future merits watching.

The first segment of the trilogy, called "Gem," and the second, called "Gotcha"—which is too long—are the most arresting. The third, called "Getaway," and fortunately brief, makes the point the author had in mind from the start.

"Gem" shows several working-class youths and a woman attending a cricket match on a Bank Holiday. They stand apart from the main crowd because one of the young men, Kev, is fiercely hostile to the "swells" in the stands. He has refused to play along with his fellow workers involved in the match and will allow none of his other mates to play. Thus, when one of his friends, Gary, is finally induced to join as a substitute player and "stars" in the game, Kev considers it a sort of "ideologic" betrayal and threatens physical violence.

"Gotcha" seems to veer away from the central line of narrative to a school situation. A 16-year-old student enters the school stockroom to pick up his brother's motorcycle. There he happens on one of the instructors who is breaking off an affair with a woman on the teaching staff. The couple are in a farewell embrace and the embarrassed man strikes the "kid," whose stare he considers rude. In retaliation the boy locks the door, jumps on the motorcycle and threatens to blow the place up by dropping a lighted cigarette into the cycle's gas tank.

He is a backward student and full of hatred for the school, its faculty and the class they represent. When the headmaster is summoned for help, he too is trapped. (The headmaster is particularly well acted by Kensyn Crouch.) The boy, guileless as well as stupid, is finally tricked into momentary submission, given a shameful thrashing and, as we learn in the third episode, sent to prison for a short term.

The "payoff" is here. Though Kev is now a married man, a willing participant in the same sort of cricket match he had previously scorned, he is still a rebel "in his heart." He discovers that the young person cleaning the cricket grounds is the "kid" who very nearly blew up his teachers. Kev wants to congratulate the boy for his proletarian valor, his insurrectionary act against the bourgeoisie. The boy doesn't know the meaning of the words, doesn't consider himself in any way a hero and has accommodated himself good-naturedly to his job. Hopeless! "They always win!" Gary comments.

Who always wins? The upper-class establishment. The play is another lament or, more properly, a curse against the compromise that English rebels presumably make every time with the ruling powers. The author (like the British audience) takes the hatred of the lower classes and the frequent self-hate of the middle classes for granted: it is the "conformism" of the English stage since at least 1956. *Gimme Shelter* is an outcry, rather more venomous than compassionate, at the impotence or ineffectuality of social rebellion in a nation that somehow always seems to submit to law and order, even though accompanied by ill-concealed bad temper.

The play, then, is another variation on a familiar theme. There are passages of hysterical resentment—rendered strikingly effective by the actors—there are humorous thrusts: all ultimately harmless enough. At most, *Gimme Shelter* is a sharply aggrieved rumble. Still a beginning—and, I hope, an end. English dramaturgy must move forward from this fixed idea. □

MUSIC

DAVID HAMILTON

A major paradox of American cultural life, surely, is the lack of any satisfactory institutional home for our most successful indigenous repertory of lyric theatre, the musical comedy. In most of our major cities, companies are maintained at considerable public and private expense to display the masterpieces (and minor works as well) of European opera, while the scores of Herbert, Kern, Berlin, Gershwin, Porter, Rodgers and Arlen (to mention only the most obvious names) are but sporadically—and often skimpily or irreverently—revived. (Even now, our "national cultural center," the Kennedy Center in Washington, is planning a grand opera company; inevitably, it will concentrate on foreign works.)

Nor does it make sense to entrust this literature to opera companies, for it doesn't work very well in the mammoth halls they occupy: the dialogue is swallowed up, the theatre orchestrations sound skimpy, and voices of the right character are hard put to make themselves heard. Something else is wanted, which common sense suggests should be less expensive than an opera company: a repertory musical theatre company, which would draw upon a larger potential audience. Now ought to be the time; interest in this literature has never been higher, as attested by an increasing supply of reissued recordings (notably the "original-cast re-creations" published by the Smithsonian Institution—one establishment body, at least, that does recognize the value of this tradition).

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I was set to thinking along these lines—not for the first time—by the New York City Opera's recent incursions into the American repertory. Before the regular fall season, they put on a two-week run of Victor Herbert's *Naughty Marietta* (1910); later on, Kurt Weill's *Street Scene* (1947) figured as part of the repertory. Now, both these works are arguably legitimate territory for an opera company, exempt from the above-mentioned strictures. *Marietta* was written for operatic singers; the original principals came from Oscar Hammerstein's Manhattan Opera Company, and it was good to hear comparable voices sail into Herbert's luscious tunes at the State Theatre. The "new book" by Frederick S. Roffman was no great shakes, and probably deserved the additional pruning it received after opening night; still, it made a tolerable framework for the musical numbers, and only rarely elicited inappropriate laughter. Judging from the box-office response, a straighforward *Naughty Marietta*, conducted as stylishly as this one was (by John Mauceri) and capably sung, could be as steady a local attraction as is *The Merry Widow* in Vienna.

Street Scene, on the other hand, isn't operetta for operatic voices but opera for Broadway. It was, in fact, the first in a series of such works in the postwar years: Menotti's *The Medium* (1947) and *The Consul* (1950), Marc Blitzstein's *Regina* (1949), Jan Meyerowitz's *The Barrier* (1950), while two Britten operas, *The Rape of Lucretia* and *Let's Make an Opera*, were also first introduced to America in commercial theatres during these years. Most of these pieces have since been in the City Opera repertory, at least briefly; the company's recording of *Regina* has in fact just been reissued (Odyssey Y3 35236, $11.98). They may have worked better in the old 55th Street house, for the State Theatre is inordinately large, even for much of its more usual repertory. Ironically, despite the auditorium's size—bigger than any Broadway house—no amplification is used, while on the Great White Way nowadays everything is turned into canned music. Remarkably, both *Marietta* and *Street Scene* were pretty consistently comprehensible, and far pleasanter to the ear than, say, the glossy electronic distortion that currently passes at the Uris Theatre for Richard Rodgers's music to *The King and I*.

Of Weill's American theatre works, *Street Scene* is the most operatic. There is still a good deal of spoken dialogue, and Weill was proud of his success at integrating this with the sung words. I'm not convinced: the aggressive naturalism of Elmer Rice's play sets up a barrier against lyricism such as the much more stylized theatres of Kaiser and Brecht did not (nor, for example, did Moss Hart's book for *Lady in the Dark*, where the music was confined to dream sequences), and the self-consciously "homely" lyrics of Langston Hughes don't successfully mediate across this barrier.

For whatever reason (perhaps Hughes was not as watchful or demanding as Weill's other American lyricists?), the setting of the text is sometimes conspicuously unidiomatic, with key syllables buried on small, unaccented notes ("What *good*'wd *the* moon be") and longer phrases uncomfortably parsed ("in a slumneverseeing you"). The sheer musical invention is hardly resistible, however, and every number has its delightful ingenuities, its subtle variations of repeated ideas. Weill's chameleonlike ability to assimilate the idioms of American popular music is uncanny—and unsettling. There are too many styles here: the Kern imitation, "Wrapped in a Ribbon," and the jive of "Moon-Faced, Starry-Eyed," the art of "Lonely House" and the commercialism of "Wouldn't You Like to Be on Broadway," plus the layer of Puccini that permeates the love-duet setting of Whitman. Every time we are pulled across that barrier from naturalism to stylization, we land in another style, and the music ends by becoming a disintegrative factor.

The City Opera's production was remarkably effective, though Jack O'Brien's staging erred (I think) in placing the action "in the later part of the Depression era." Rice's play was given a contemporary setting when it was new (1929), and he and Weill elected to keep it contemporary in 1947—thus various references were brought up to date and, perhaps more irreversibly, musical styles of the 1940s were introduced. Better, I think, to costume it in the 1940s (the brownstone apartment house can, of course, remain the same) and avoid these anachronistic touches. The large cast of principals, almost all quite competent, was well managed, though the chorus moved in somewhat stiff patterns. As noted, the words were well projected (except by Eileen Schauler as Mrs. Maurrant), and John Mauceri paced the music aptly. I'm sorry to see that *Street Scene* (or any comparable work) is not in the company's spring season.

(The only recording of *Street Scene* is that by the 1947 Broadway cast. Though several important numbers were omitted entirely, a good deal of "intermediate music" is included along with the "hit songs"; Columbia Special Products COL 4139, $7.98.) □

DANCE

NANCY GOLDNER

IceDancing is a wishful name for a skating show. John Curry, former world champion skater, is the gentleman wishing it. He himself is a dancerly skater. His back, held erect like any proper skater's, has an added lightness that in my experience is quite unique to skaters. He does not strain forward in the big push-offs; he comes out of jumps with nary a ruffle. His muscular composure is something many dancers must envy. His arms move fluidly and prettily. Though the triggering impulse of their motions cannot be traced to the lower back, as they are with good dancers, they at least are supported by an open chest. Because of this arm-trunk connection, his *ports de bras* do not seem an affectation. Curry takes care to arrange his body in the harmoniously curved lines which characterize much ballet dancing. His arabesque is good to look at, and it even has a trace of kinetic interest. Curry knows how to keep the amplitude of the arabesque building during the long glides. That he should think about this kind of detail indicates his affinity for dancing, and an understanding, too, of its mechanisms.

Whether Curry's gift for intelligent skating can form the basis of a new art form, as the publicity broadsides have hinted, is, of course, the big question behind the IceDancing enterprise. The roster of choreographers and composers who were involved in his season at the Felt Forum in late November is fairly blaring in intent. Among them: Twyla Tharp-Albinoni, Kenneth MacMillan-Liszt, Peter Martins-Stravinsky, Jean-Pierre Bonnefous-Berlioz and Donald Saddler-Meyerbeer. It's enough to give one the jitters. Curiously and delightfully, the IceDancing show did not press the issue. It turned out to be a pleasant diversion, due in part to the program's careful heed of change of pace and in larger part to aspects of production. Perhaps even more key to the show's concept than choreographers and composers is the choice of designers. They are from legitimate theatre; some have dressed dancers as well. Florence Klotz's decor and costumes for Saddler's *Palais de Glace* is fine imitation Cecil Beaton—indeed, more attractive than Beaton's own work for *Les Patineurs*, the Ashton-Meyerbeer ballet serving as Saddler's model. Santo Loquasto gave the same off-handed chic to Tharp on ice as he gives to Tharp on linoleum. Still other numbers found the skaters

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in the pale chiffon dresses that stand for Sunday-best practice clothes in ballet *divertissements*. Decollete body stockings showed up in two of the pieces which, not coincidentally, were the two artiest of the program. Although they seemed as epicene on male skaters as they are on male dancers, the link between ice theatre and dance theatre was made, for better or worse. The break between IceDancing's costumes and those of other ice shows was also wholeheartedly made, and this is only for the better.

Besides bringing to the Curry show a knowledge of structure, choreographers from the legitimate stage bring legitimate theatrical values. All of the numbers in IceDancing shied away from the hard sell and from the interminable spins and split jumps one associates with the typical ice show. Although none of the other twelve skaters Curry assembled for this event disarm us with their modesty the way Curry does—they have no personal style, really—the choreography was well-bred enough to protect them from excess. The demands of moving on ice are particular enough to have kept in check any windy notions about choreography. IceDancing might be the first tasteful ice show in the history of mankind. The nicest thing about it was that it was tasteful in an easygoing way. There were enough spectacular bits, especially in the two numbers Curry himself choreographed, to keep the show from being prim. The conceptual ideas behind each number were various enough to keep it moving along. As a measure of the show's validity on its own terms, I think it possible that Curry's nondance audience smelled nothing special afoot.

For dance aficionados, it is obvious that Curry had more in mind than good taste when he invited choreographers of stature to work with his company. Just as obviously does the show fall apart when one begins to look at it the way one looks at theatrical dancing. First of all, the skating boots: inflexible appendages, they hang upon the legs like dead weights. The skaters are static from the waist down. Static bodies cannot register musical dynamics. The choreographers paid courteous attention to the beat, having the skaters push off at the beginning of a new phrase—and that's it for musical expression. There isn't much a skater can do but glide forward and back. The jagged edges of the blades could provide staccato texture, but the choreographers avoided using the toe of the skate, fearful, perhaps, of its incipient harshness. The notion that skating must be smoooooth persists; its aesthetic is still conservative. Consequently, the dances were essentially nothing more than big circular swooshes, with an occasional diagonal. If skaters don't traverse space they fall down. To discover how deadly it is to watch dancers always on the run, one need only experience ten seconds of a Gerald Arpino ballet. Twyla Tharp's solo, *After All*, does tinker with contrasts between large and small movement, does attempt to create the illusion of stillness, and was the only dance that didn't leave my eyeballs rotating in their sockets. Tharp's piece was the only one to have more than a good attitude going for it, but even here the dancerly qualities she eked out of the medium are too rudimentary to give rise to a new art form.

Transposing the conventions of one form to another is what lies at the heart of IceDancing. The most charming number, *Scoop* by Douglas Norwick, is actually an adaptation of a work he did for the Paper Bag Players; its low-keyed cleverness is typical Paper Bag. Saddler's *Palais de Glace* is sustained by a typical ballet libretto: a gathering of high-society types at a posh watering hole. In Bonnefous's *IceMoves*, ballet's ensemble-soloist structure is transferred to skaters. MacMillan uses Liszt the way Petipa used Minkus, though the results are less complimentary than when Curry himself took the skater's virtuoso capabilities in hand, in the two dances he made for the company. In spoofing the tango's suavity, Martins was the only guest choreographer to have hit upon a quality intrinsic to skating rather than a convention attached to ballet. Nevertheless, his nonuse of Stravinsky relegates the collaboration to simply one more convention in any self-respecting dance program—there must be a Stravinsky number.

The program also borrowed from an archetypical ballet, and it was the only instance in which the show's tread became heavy. *Afternoon of a Faun* it was, by Norman Maen. Cathy Foulkes pretends she is Odette fending off the prince, and Curry glides in figure eights while his arms heave sighs. Once in a while his ankle wraps inward around the other calf, to remind us of someone named Nijinsky. The historical self-consciousness of the piece is nothing, however, compared to its unwitting self-commentary. For here is the ice skater in his ultimate predicament: unable to move. *Faun* plays up the pretty-boy aspect of Curry. Its preen is certainly not revolutionary in the dancing world, and it is all to the credit of the skating world that *Faun* could still be shockingly daring in its concept. One hears that *Afternoon of a Faun* is Curry's testament of belief, his signature. I am happy to report that in no way was it a signature of IceDancing.

If one wants to get down to the ultimate in new art forms, the Eurythmeum Stuttgart has Curry beaten by light years. This company, which presented a demonstration at the Brooklyn Academy of Music one Sunday afternoon in November, is so prehistoric it is science fiction. One sees many unspeakable acts committed on dance stages. What this group does is unthinkable. Rudolf Steiner's aim in "inventing" eurythmy in 1912 was to make visible one's unconscious responses to music and words. So men and women in various colors of silk drapery Groucho-stalk the stage, their arms rippling in time with the beat—be it Schubert's "Unfinished Symphony," Ives's "Unanswered Question," Gluck's "Dance of the Furies," part of T.S. Eliot's "Four Quartets" or an incantation by Steiner himself. When the brass is loudest the stage turns red and the men move into the center. When the left side of the orchestra dominates, the stage turns bluish and it's the ladies' turn. The connection between movement and words was less clear, because in reducing language to sounds the narrators mangled pronunciation and meter. However, in what is called Humorous Selections (which included Dickinson's "I'm Nobody," by the way) the narrator French-fried each consonant. This was especially useful in a fable about one Nannabush who "plucked his eyes from his head and plopped them back into his sockets." Hear the p's as pizzicato strokes. See the eurythmists hiccup. It was very clear. □

TELEVISION

PETER SOURIAN

If the Russians are looking to make propaganda at our expense, all they need do is screen *The Unknown War* and then hand out tear sheets of *New York Times* critic Tom Buckley's November 25th review of this current twenty-hour documentary series on the Russo-German War of 1941-45.

For Buckley, the overriding point about that gigantic and desperate conflict is simply that it was "waged by two despotisms that cared as little about the lives of their own subjects as they did about those of their enemies." In his eagerness to so define the war, he obscures the suffering and heroism of many millions of people who, as Slavs and Communists, followed the Gypsies and the Jews on Hitler's list of *Untermenschen*. Yet that suffering and heroism is, literally, the very content of the film.

Buckley does praise the Russian and captured German footage of "the sweep of tanks in combat on the endless Rus-

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sian plains," but it is as if he thinks he is reviewing a Hollywood feature film, as if there were not real human beings, German as well as Soviet, in the 7,000 tanks which were engaged, along with four million men, at the single battle of Kursk in 1943.

For me, the most striking thing about the footage is that these are real people. You sit before your TV sipping coffee, and there are those faces of real people, so many of them about to die in minutes; yet thirty years later, there they are—marching, running, eating, smiling—and afraid.

Buckley does raise certain questions of fact, notably the dismissal of the invasion of Finland in 1940 as a border dispute; he is wrong however when he calls the series "a fairy-tale version in which even the Germans don't come off badly," saying that "there is scarcely a reference to the atrocities that began almost immediately in the occupied areas." (This is in part because not all the segments had been edited when he saw the documentary.)

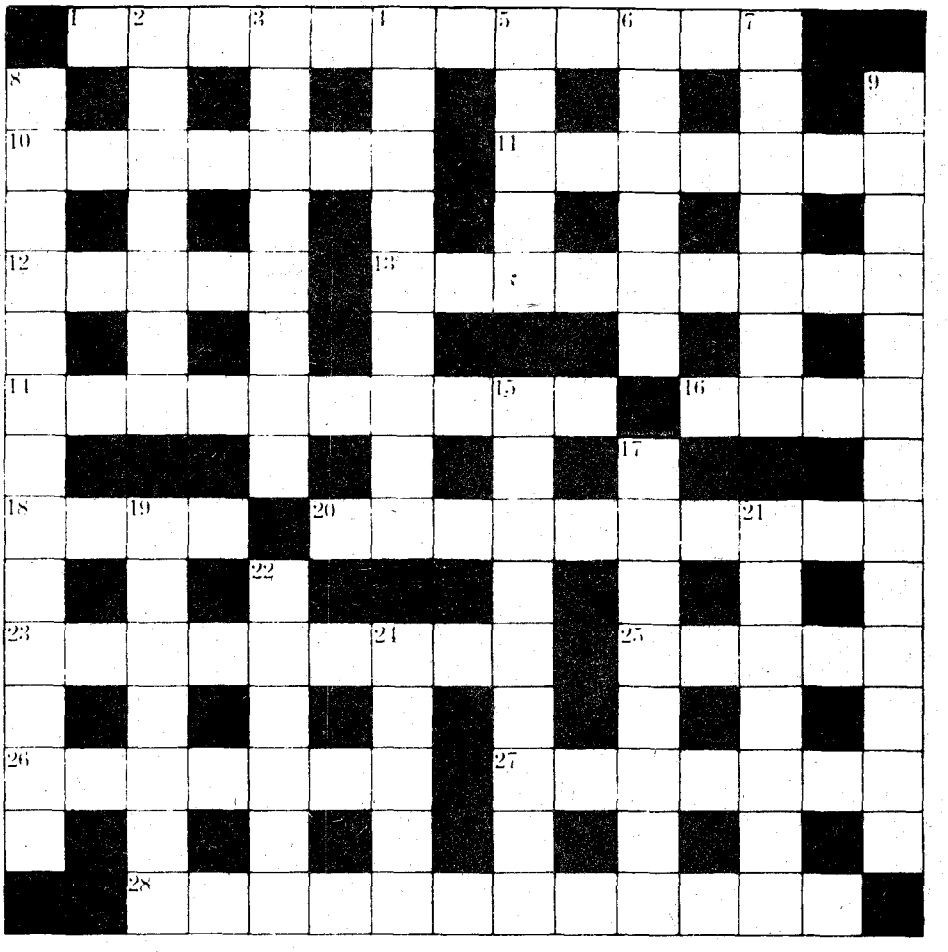
And so, predictably by this time, he concludes by condemning the series as propaganda. Propaganda for what? To snare an unsuspecting world into thinking that the Soviets lost up to 30 million people, when in fact they did? Or that they fought with a heroism so extraordinary that associate producer Fred Wiener told me he had to leave out the mention of many exploits because, as he tried to explain to the Russians cooperating in the production, people in America would be incredulous? Or to show that they are human enough to grieve and tenderly remember their dead with flowers, when the very word *human* means an animal that does bury its dead?

Buckley's response has overtones of Robert Kaiser's impatience with one of his Russian counterparts in the Soviet-American Georgetown debates televised some time ago, when Kaiser boasted that, unlike them, we Americans got over our obsession with the war a long time ago. I was also reminded of Susan Sontag's remark: "Without a politics, photographs of the slaughterbench of history will most likely be experienced as, simply, unreal or as a demoralizing emotional blow."

Maybe we *are* deadheads, without "relevant political consciousness"; maybe our society *is* decadent, as the Communists like to say. Maybe in the name of humanity, I've already become an apologist for brutal regimes. But as for that last, I don't think so. It was not the regimes that I saw on the screen but people—people who but for the war would, most of them, be as alive as I am. One can greet them across the gulf of ideologies. □

Crossword Puzzle No. 1755

FRANK W. LEWIS



ACROSS

1 No adult support with the sort of person like Amos. (Sounds as though Clementine's father made a good deal!) (5,7)
10 One in a Turkish bath? You'd never need it there! (7)
11 Mixing up each, a creation of Anatole, perhaps. (7)
12 One's tale is not significant, according to the bard. (5)
13 A green pitcher might be, as a famed tour shows. (6,3)
14 The rather insubstantial delight of the carnival. (5,5)
16 Played without a break. (4)
18 Greater distance obtained, as they say, if given this. (4)
20 Perhaps the misguided count loved the way the pretzel was made. (10)
23 —a ring around the pot, possibly meaningful to one sort of reader. (3-6)
25 It might be the moving part of an iron door. (5)
26 Perhaps 16 and 25 are such clues. (7)
27 How Parnassus was reached in 26 fashion, one of them on foot. (7)
28 A criminal survey is said to do it. (How some like to get beer by, and at, the elbow, for instance.) (4,3,5)

DOWN

2 Basque may have developed from it. (7)
3 Possibly stout, say, and remains so for a long time. (8)
4 Left on a sheet of paper folded once—in the office of a minister? (9)
5 Was Wilde one given to stars? (5)
6 Are the makings spread by the rod, according to dated slang? (6)
7 You can make a liter of this in the plant. (7)
8 and 15 If the sewer behaves properly and opportunely, the baseball team evidently is rescued. (1,6,2,4,5,4)
9 A spot in Montana seems to have a *salut* to Communism. (It should be warmly delivered.) (8,5)
15 See 8 down
17 A sort of scale for out-of-doors. (2,6)
19 Doesn't quite reach Learning Group 100, but it should be a very good literary work. (7)
21 It suggests there's a metallic bird in the abbey. (7)
22 Works with a foil, perhaps, and gets rid of the hot stuff for you. (6)
24 State briefly how to permit one who used to be considered a man's man. (5)

SOLUTION TO PUZZLE NO. 1754

ACROSS: 1 Boston Tea-Party; 9 and 24 down Artists Life; 10 Niagara; 11 Reheat; 12 Advisory; 14 Leg-room; 15 Tosti; 17 Tempt; 21 Below par; 25 Arrived; 26 In error; 27 Laurence Sterne. DOWN: 1 Bear right; 2 Satchel; 3 Onslaught; 4 Task; 5 Anno domini 6 Amati; 7 Teapots; 8 and 19 across Ladyfingers; 13 Roof garden; 15 Treatment; 16 In reserve; 18 Malaria; 20 Securer; 21 and 23 Brass tacks; 22 Waver.

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Edited by John O'Connor and Lorraine Brown Foreword by JOHN HOUSEMAN

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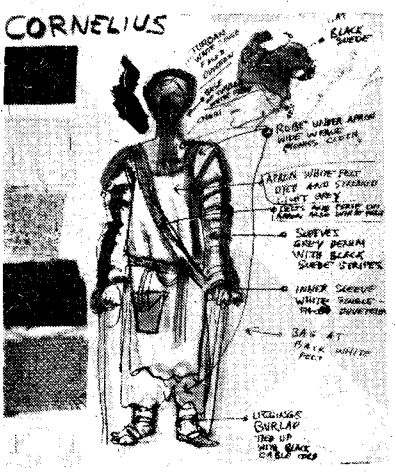

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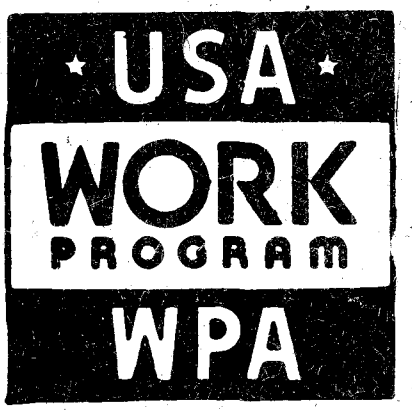

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